Bill To Assist Public and Private Nonprofit Hospitals and Nursing Homes

EXTENSION OF REMARKS
OF
HON. JOHN E. MOSS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, January 17, 1963

Mr. MOSS. Mr. Speaker, I have introduced a bill, similar to one I sponsored in the 87th Congress, to assist public and private nonprofit hospitals and nursing homes to undertake badly needed modernization and replacement projects. The bill provides for establishment of a combination matching grant and loan program. The need for such legislation was contained in the President's budget message.

Modernization, rather than construction of new bed capacity, is the primary health facility need of today. This situation, not generally recognized by the public, has come about because of the prolonged concentration on important hospital needs accumulated during the depression and World War II. I want to cite the particularly critical shortage of bed space in rural areas of a few years ago.

Federal aid for construction of new hospitals, through the existing Hill-Burton program, has been instrumental in helping to reduce greatly the Nation's deficiency of hospital bed space. However, in recent years there has been a growing obsolescence of the hospitals that were already in existence and, for the most part, located in urban areas, when the Hill-Burton new construction program was begun in 1946.

In 1960, a U.S. Public Health Service survey of 25 metropolitan areas and 32 sample rural-urban areas showed a projected national cost for needed modernization and replacement of $3.6 billion. That figure is almost four times the current rate of annual construction expenditures in the entire health facilities field, and only a fraction of that is spent on modernization and replacement, which does not add new bed capacity.

This, as the survey showed, is a nationwide problem. I wish to point out that my home State, California, has an estimated modernization need backlog of $513 million.

The bill would authorize the Surgeon General, acting through State Hill-Burton agencies, to make grants up to 50 percent of the cost of qualified modernization projects, or loans as a supplement to grants or in lieu thereof. The total Federal share may not exceed 80 percent of the cost of the project. Also, assistance would be provided for development of comprehensive regional health facilities plans. The amounts to be authorized are left blank in the bill pending the development in committee hearings of information on the optimum size of the proposed program. The program would be effective July 1, 1964, meaning no budgetary impact until fiscal 1965.

The program in my bill is to complement and not interfere with the existing Hill-Burton construction program. It would be administered similarly. State agencies now involved in the Hill-Burton program would process the new applications and the Surgeon General would employ administrative procedures similar to those presently in effect for the construction program. Modernization assistance funds would be eligible only for projects that would not increase bed capacity by more than 5 percent.

Mr. Speaker, this legislation deals with an important national health facility need. Under existing programs, much progress undoubtedly will be made in rapidly adding to the current number of hospital beds. However, modernization and replacement of many facilities is required to improve patient care by increasing adequacy of services, safety and efficiency, and to adapt present facilities to new hospital and related medical needs.

HOUSE OF REPRESENTATIVES

FRIDAY, JANUARY 18, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 119: 165: *Great peace have they who love Thy law.*

Most merciful and gracious God, who art always speaking unto us through Thy inspired and holy word, may we be blessed with the listening ear and the understanding heart.

Grant that the grace and beauty of the life of our Lord, revealed in that word, may be more fully manifested in our own character and conduct, crowning our days with the diadem of joy and peace.

Show us how we may minister unto the welfare of all mankind and discover for humanity the blessings of health and happiness and find the most effective means of safeguarding and defending the freedom of men everywhere.

We are not asking Thee to deal with our blessed country in any preferential manner, enabling her to become an "industrial paradise" or an "economic Garden of Eden" whose people have an abundance of food and clothing and plenty to make their days and nights merry, while vast multitudes are finding the struggle of life so drab and difficult.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries.

SWEARING IN OF MEMBER

Mr. MURRAY appeared at the bar of the House and took the oath of office.

ELECTION TO COMMITTEES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 148) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That ANTONIO FERNÓS-ISERN, the Resident Commissioner to the United States from Puerto Rico, be, and he is hereby, elected an additional member of the following standing committees of the House of Representatives: Committee on Agriculture, Committee on Armed Services, and Committee on Interior and Insular Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO MONDAY, JANUARY 21, 1963

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not object, of course, can the gentleman from Oklahoma give us any information at this time as to any special legislative program for next week?

Mr. ALBERT. If the gentleman will yield, of course we do not expect any legislative program next week. There will be other messages from the President coming up, and no major legislative program.

Mr. HALLECK. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE DISTRICT OF COLUMBIA BUDGET—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 15, PT. 2)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed with illustrations:

To the Congress of the United States:

I present herewith to the Congress the budget for the District of Columbia for the fiscal year 1964, beginning next July 1. Departing from past practice, I am transmitting the District budget with this separate message because the problems of the District have become so critical as to challenge the National Government—both the administration and the Congress—to redouble its understanding of and interest in its Capital City. Because Washington is the Na-

tion's Capital, the National Government has, and must continue to have, a special responsibility and a special relationship to the District of Columbia.

In evaluating the District's financial needs, understanding of the unique but changing character of the District is basic. Its government exercises responsibilities not unlike those of a State and county as well as those of a city. Yet since its boundaries are, for practical purposes, unchangeable, it has become no more than the central portion of a large metropolitan area, most of which is beyond its limits. Within those boundaries, the character of the population has undergone a change as rapid as the growth of the metropolitan area itself—and the National Capital region has been the most rapidly growing large urban area east of the Mississippi River.

From 1950 to 1960, the total population of the District dropped from 800,830 to 763,956. During that same period, the number of school-age children rose by 30,000, an increase of 23 percent. Older citizens, over 65, increased by 12,500, or 22 percent. Thus the age groups requiring heavy public expenditures for such services as education, welfare, health, and recreation continued to increase, while the wage-earning group which requires a minimum of these public services and provides a solid source of tax revenues decreased by 16 percent. Finally, while the percentage of Negro persons in the whole metropolitan area has remained essentially the same as it was in 1950, and is substantially below what it was at the turn of the century, artificial barriers have required most of the normal increase in Negro population to concentrate in the District. As a result, the Negro population in the District has risen from 35 percent to 54 percent. Since the economic and social resources of the Negro population, taken as a whole, remain below those of the white population which has moved beyond the District boundaries, the relative prosperity of the District's taxpayers has suffered at the same time the District's services are in increased demand. While there is reason to hope that these trends can be slowed and ultimately reversed, the indications are that present conditions will continue through the decade of the 1960's.

Because of these changing characteristics in the District's population, there will be a continuing increase in the cost of its government until there is a change in the present trends. On the average, ordinary general fund operating expenses of the District have risen at the rate of 5 percent annually, while revenues from the District's general fund tax base have risen at the rate of about 3.5 percent, exclusive of changes in tax rates. When major pay raises occur, as authorized by the last Congress, this gap widens. Hence, because of this condition and the need to continue the public works program, the total appropriations of $320.2 million recommended for the fiscal year 1964 require general fund revenues of approximately $33.1 million from new sources. Of the latter amount $28.1 million require legislative authorization before the appropriations can be made.

There is need, however, to look beyond fiscal 1964. Orderly and efficient solutions to problems in the District cannot be achieved by viewing District programs and needs from the perspective of one fiscal year at a time. I am, therefore, proposing that the Congress make the necessary adjustments now in the three basic resources of the District's general fund—local taxes, Federal payment, and borrowing authority. This plan, as outlined in the accompanying table, will permit the Commissioners to carry out long-term commitments within the framework of sound fiscal policy.

Long-range projection of requirements and financing of the general fund

[In millions of dollars]

	Estimates			Projections			
	1963	1964	1965	1966	1967	1968	1969
Funds required:							
Operating expenses	226.9	240.0	254	266	279	293	308
Capital outlay	23.1	34.7	36	32	34	34	30
Debt service		1.8	2	4	5	7	8
Total funds required	249.9	276.5	292	302	318	334	346
Revenues and balances:							
From present sources:							
Taxes, fees, etc	202.8	205.8	213	220	228	237	244
Balances	1.3	5.6					
Federal payment	30.0	32.0	32	32	32	32	32
Loan authorization	18.7						
Total from present sources	252.7	243.4	245	252	260	269	276
From proposed sources:							
Taxes, fees, etc		9.0	11	12	12	15	18
Federal payment		21.0	25	27	29	31	35
Loan authorization		3.1	11	11	17	19	17
Total from proposed sources		33.1	47	50	58	65	70
Total revenues and balances	252.7	276.5	292	302	318	334	346

Local taxes: In 1962, of each general fund dollar spent by the District, 87 cents represented revenues from the people of the District. Local taxes have been increased as expenditures rose.

District citizens should continue to bear their proper share of the costs of mounting expenditures. Accordingly, under the above plan increases are proposed in real estate and certain other local taxes in fiscal year 1964, which will produce $9 million additional revenue in fiscal year 1964, and an estimated $11 to $12 million when fully effective in 1965 and 1966. Furthermore, additional adjustments in these tax rates would now appear to be needed by 1968 or 1969. These actions will represent a substantial local contribution, and should for several years relieve the Congress of the need to consider further increases in local taxes.

Federal payment: The present lump-sum authorization of $32 million has no direct relationship to local taxes or requirements, and does not reflect the proper share of the financial needs of the District which should be furnished by the Federal Government. Therefore, I fully support legislation to authorize an annual Federal payment based on a formula which more accurately measures the Federal responsibility to the Capital of the Nation. This formula method will result in an appropriate degree of flexibility, will relate more directly to District needs and local resources, and will be predictable for long-range financial planning. It evolved from consideration of home rule legislation last year, but that proposal provided for a permanent appropriation as well as a flexible authorization. Pending home rule, I am supporting the flexible authorization, but with annual appropriations.

The formula consists of (a) the amount of real estate taxes the District would obtain if property owned and used by the Federal Government, and property exempted by special act of Congress, were taxable; (b) the amount of personal property taxes the District would obtain if tangible personal property, exclusive of objects of art, museum pieces, and libraries, owned by the Federal Government were taxable; and (c) an amount equivalent to the business income and related taxes which the District could reasonably expect to collect from the Federal Government if it were a private business, as measured by the relative numbers of Federal employees and employees in private business.

Under this formula, the Federal payment authorized in fiscal year 1964 would be approximately $53 million. It is estimated to increase to $59 million in fiscal year 1966 and to $67 million by fiscal year 1969. These increases reflect the increased ownership and use of property in the District by the Federal Government, the increased level of local tax rates, and an anticipated increase in property values.

Borrowing authority: The District's existing borrowing authority from the U.S. Treasury for general fund purposes of $75 million has been committed. The District pays an average of about 4 percent interest on these borrowed funds. As with the Federal payment authorization, a lump sum borrowing authorization bears no direct relationship to either local needs or ability to repay. Therefore, rather than requesting a fixed amount of additional borrowing authority, I will submit to the Congress legislation authorizing the District to borrow for general fund purposes from the U.S.

Treasury up to a limit of outstanding indebtedness equal to 6 percent of the 10-year average of the combined assessed value of real and personal property (including property owned and used by the Federal Government as specified in the Federal payment formula). This will represent a flexible yet prudent debt limit, taking into account local resources and ability to repay, and follows the practice common in most State and local jurisdictions.

Under my proposal, the maximum general fund debt limit will rise from $225 million in fiscal year 1964 to an estimated $275 million in fiscal year 1969. Without additional borrowing authority, the District would be required to finance its general fund capital outlays from current revenues, which would necessarily result in payments "in advance" for facilities whose useful life extends well into the future. Because of the lack of sufficient borrowing authority in the past, a serious backlog of capital outlay needs has developed, which within reasonable limits should be financed by long-term debt.

The adoption of the proposals for revenue increases from local sources and the proposals for the Federal payment authorization and loan authority will produce the following major benefits: The Congress can reasonably expect to have resolved the District's general fund financial problems for some years in the future; the Commissioners will be able to predict financial resources with a greater degree of assurance; there will be a built-in incentive to look for additional revenues from local tax sources—because of the nature of the proposed formula for the Federal payment; the Congress, the executive branch, and the Commissioners will have time to examine long-range needs and resources; and the Commissioners will be able to formulate well-considered proposals for constructive future action. In summary, the critical general government needs of the District can be met on an orderly, planned basis.

Accordingly, the general fund budget for fiscal year 1964 is based on estimated revenues of approximately $243.4 million from currently available sources, $5 million from increased real estate tax rates, and $28.1 million for which legislative authority will be needed. The combined totals will permit limited but nonetheless necessary improvements in services, will provide for an adequate program of capital improvements, and will cover mandatory cost increases under recently enacted legislation.

Total new obligational authority, all funds

[In thousands of dollars]

Programs	1962 enacted	1963 estimate	1964 recommended	
			Total	From proposed sources
Current authorizations:				
Education	54,206	60,024	63,951	(2,142)
Welfare and health	62,315	66,702	71,052	(3,088)
Public safety	56,001	59,774	66,297	(925)
Highways and traffic	10,904	11,527	12,424	(171)
General operations	15,529	16,382	17,997	(939)
Parks and recreation	8,136	8,494	8,982	(119)
Sanitary engineering	20,123	20,877	21,304	(7)
Potomac interceptor sewerline			51	
Repayment of loans and payment of interest	765	1,495	4,990	
Payment of judgments, claims, and refunds	789			
Capital outlay	50,533	52,251	53,130	(23,205)
Subtotal	279,301	[1] 297,526	[1] 320,178	(30,596)
General fund:				
Obligations	(233,571)	(255,317)	(267,642)	(30,531)
Change from obligations to new obligational authority	(8,174)			
Other funds	(37,556)	(42,209)	(52,536)	(65)
Permanent authorizations	1,042	1,029	695	
Trust fund operations	42,277	48,332	65,110	
Repayment of advances from Federal funds	−5,000	−3,000		
Investments	712			
Total authorizations	318,332	343,887	385,983	(30,596)
Funds required, general fund:				
Current authorizations	233,571	255,317	267,642	(30,531)
Adjusted deferred financing	3,816	−7,675	7,300	(2,600)
Supplementals and indefinite appropriations	66	2,296	1,584	
Total funds required, general fund	237,453	249,938	276,526	(33,131)

[1] These amounts include $7,045 and $13,251 for pay increases in 1963 and 1964, respectively.

The essential need for the additional legislative authority to make this budget possible is highlighted by the situation facing the District in certain specific program areas. I should like to mention a few of the more significant ones.

EDUCATION

By 1970, some 165,000 children will be enrolled in the public school system, about 24 percent more than the present 133,000. The District must immediately undertake both primary and secondary school construction to catch up with and prepare for this growing school population—to eliminate present part-time sessions, to replace inadequate facilities, and to provide suitable facilities in the years ahead. There should be continuing improvement in the pupil-teacher ratio.

Textbooks, like facilities and instructional staff, are a prime factor in a proper educational environment. New techniques for teaching are developed each year, and substantive matters to be taught undergo constant change. The present level of expenditure for textbooks and workbooks permits them to be replaced only every 6 to 10 years. In the light of the dynamic changes in our society, appropriations should be adequate to permit replacement at least every 5 years.

The Congress, in enacting appropriations for the fiscal year 1963, recognized the need of the District for more special classes (for slow learners, mentally handicapped, and socially maladjusted pupils), continued participation in the great cities program, and more physical facilities and teachers. Good progress has been made in solving the academic and behavioral problems resulting from the desegregation of the public school system in 1954. Nevertheless, further increases in funds in fiscal year 1964 are essential.

The great cities program deserves special mention. With the help of a Ford Foundation grant, the District is endeavoring to increase the ability of culturally deprived students to speak, read, and write the English language and thereby overcome a handicap that has social, academic, and economic implications. The budget would continue the program for the current year.

Thus, the school budget exemplifies the serious nature of the District's financial problems. Without the additional general fund financing for which legislative authority will be needed, there would be no provision for additional teachers to handle the projected increase in school population, for acceleration of the textbook replacement program, or for a building program adequate to keep pace with increased enrollment.

I am concerned that in the Nation's Capital general education beyond the secondary level is not available at a nominal cost, as it is in many major cities and in the States. I endorse the proposals for the establishment of a junior college program possibly at the District of Columbia Teachers College and for a study group to examine the desirability of establishing a downtown city college with a department of teacher training.

WELFARE AND HEALTH

The District's welfare needs, and the administration of the programs designed to meet them, were the subject of grave concern by the previous Congress. As a result, the Commissioners have taken measures to strengthen administration, and have undertaken a complete review of the District's welfare programs. Their review takes into account both the responsibility of public officials to dispense public funds in accordance with laws and regulations, and the problems and needs of underprivileged persons.

The Congress has recognized the need for Federal assistance to the States in strengthening their welfare programs and in accelerating the adoption throughout the Nation of the policy of services, rehabilitation, and training as opposed to support of prolonged dependency. Amendments to the Social Security Act in both 1961 and 1962 enlarged and strengthened this national

policy. The District should be a leader in these efforts. The additional general fund financing in fiscal year 1964, for which legislative authority will be needed, will provide the District with the funds necessary to enable it to qualify for and participate in these programs.

The problems of less fortunate children are particularly distressing. Junior Village, the District's institution for neglected children, overflows. Ironically, it is, at once, much the most expensive manner of caring for neglected children and the least satisfactory. A major effort is needed to reduce reliance on institutional housing for these children to a minimum and to provide each with a home within a family setting. The Commissioners are taking the steps available to them under present laws. The additional general fund financing will permit other major efforts in this direction. Higher payments to foster parents will increase the number of available foster homes. Financial aid to needy children of unemployed parents will diminish the cases in which children must be removed from their own homes. An expanded program for training unemployed mothers and fathers in marketable skills will likewise reduce the number of children who now cannot be supported by their parents, and will, of course, remove the parents from the unemployment rolls.

The District's extensive program of health services arises in large part from the age and income characteristics of its population. The fiscal year 1964 budget continues this program. It also includes funds to complete the financing of the urgently needed reconstruction of District of Columbia General Hospital. In the field of mental health, a study is being undertaken by the District of Columbia which will produce a long-range program for the District to take advantage of new developments in the care and treatment of the mentally ill. I shall ask the Department of Health, Education, and Welfare to assist the District in this effort. Pending the development of that program, the fiscal year 1964 budget proposes establishment of a per diem rate at which the District will reimburse St. Elizabeths Hospital for its residents who are committed there.

PUBLIC SAFETY

Individuals should be able to live and work safely in the Nation's Capital. Flagrant infringements of this right, which occur all too often, make news not only of local, but also of national and international importance. The fiscal year 1964 budget under present and proposed legislation will supply the funds needed to bring the police force up to full strength by providing 100 additional policemen and 25 additional canine teams.

Here, too, the problems of youth are of critical importance. A juvenile delinquency program does not appear as an itemized request in the budget. Juvenile delinquency is far too complex. The battle against delinquency and youth crime is waged on many fronts—in the preventive areas of education, health, welfare, and recreation, and in the correctional and rehabilitative areas of law enforcement and the juvenile court. School dropouts, for example, constitute at the same time an educational, economic, and social problem. The District is participating in the national program, authorized by the Congress in 1961, to develop the most effective attack on juvenile delinquency which the Commissioners, together with community leaders, can devise. The District's efforts, like those in other cities, are being supported initially by Federal funds. As a program is developed, the local communities are expected to assume responsibility for full program costs. While no funds are requested in the fiscal year 1964 budget, the District expects to request later the funds needed to carry out its work in this vital area.

HIGHWAYS AND TRAFFIC

The critical deficiencies in the general fund do not extend to the water and sanitary sewage works funds, which are financed by earmarked revenues. Prospective revenues for these funds are sufficient to meet obligations for the next 5 years.

The highway fund, which is similarly financed, will face critical deficiencies after 1965. The exact extent of the problem will depend on decisions as to the scope of the highway program. Those decisions will be made promptly. The National Capital Transportation Agency has prepared and transmitted to me a report recommending a system of highway and modern rail transit facilities for the National Capital region. This report is being reviewed by appropriate Federal and local agencies. When that review has been completed I will forward the report of the National Capital Transportation Agency to the Congress with my recommendations. Therefore, I am withholding from the fiscal year 1964 budget those highway projects which do not conform to the highway recommendations of that Agency—the east leg of the Inner Loop Freeway, the Intermediate Loop, the Potomac River Freeway, and the Three Sisters Bridge. At the completion of the review, appropriate budget amendments will be submitted with respect to both the mass transit and highway programs of the District. The projects which are not in question in the current review, particularly the center leg of the Inner Loop and its continuation to the north, as well as the modified Interchange C, represent a major and important highway program.

CONCLUSION

The need to establish a sound financial structure for the District, in fiscal year 1964 and thereafter, is of vital importance. There are also other matters concerning the District which the Congress will be called upon to consider.

This administration proposed home rule legislation for the District to the last Congress. I again urge that the Congress restore to District residents the basic right to local self-government. Indeed, the urgency of the District's present problems underscores the necessity to place responsibility for dealing with municipal problems in the people of the District themselves, with appropriate provisions to assure continued consideration by the Federal Government of the Federal interest.

A study made during the last Congress at the request of the Committee on the District of Columbia of the House of Representatives showed the need for a better organizational framework for developing and executing urban renewal projects in the District. Legislation to provide adequate relocation assistance to persons displaced by public action, and to extend urban renewal powers to nonresidential areas as an aid to the District citizens who have taken the initiative in planning a revitalized downtown area, is of particular importance.

Other items of legislation required for effective accomplishment of local government objectives will be proposed by the Commissioners.

I have said that the decade of the 1960's will be a time of crises and decisions for our country. And so it will be for the District. Washington, D.C., is the Capital of the United States of America. Let us make it a city of which the Nation may be proud—an example and a showplace for the rest of the world.

JOHN F. KENNEDY.

JANUARY 18, 1963.

ANNUAL REPORT OF THE U.S. CIVIL SERVICE COMMISSION, 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—(H. DOC. NO. 13)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service and ordered printed with illustrations:

To the Congress of the United States:

I transmit herewith the annual report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 18, 1963.*

MENTAL PATIENT RELEASE ENCOURAGED BY BUDGET

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, I have heard many zany suggestions about maintaining fiscal sanity budget affairs, but I notice in the District of Columbia budget one of the zaniest ideas I have ever heard as a means of returning to fiscal responsibility. As a matter of fact, I am just informed and I read that St. Elizabeths Hospital is now going to be encouraged to return mental patients to the community more rapidly so more can

be sent to the hospital. This will then show an increased patient load, and thereby get more money from the Federal Government.

This, of course will encourage our courts to send more criminals up to St. Elizabeths for psychiatry because they will get out faster and be returned to the community to prey upon and commit more crimes upon the people of the District of Columbia and on the tourists who come here.

I have never heard such a zany idea as this, to pay them to turn out mental patients whether they are cured or not, but get them out in the community—criminals who are committing crimes every day in the week. This is really a beaut. That is about the only kind of language I can use. Maybe the hospital could turn them over to the Budget Bureau.

I include the following article from the Washington Star of January 17, 1963:

MENTAL PATIENT RELEASE ENCOURAGED BY BUDGET

The proposed Federal budget released today, would give the District and St. Elizabeths Hospital new financial incentives to encourage them to return mental patients to the community promptly.

The proposed 1964 budget provides that the District pay St. Elizabeths according to the actual number of patients the District has there.

Thus, for example, if the District can find cheaper foster home care for a senile patient, it can save money. At the same time, a bed would be released for the hospital's use.

DOUBLE PAYMENT SEEN

A spokesman for the hospital said today that under the present system the District pays, in effect, a relatively fixed amount to the hospital. If the District finds foster-home care for an aged patient, for whom the hospital can do no more than it has, then the District pays double—paying for the foster care and still paying its contribution to the hospital.

The spokesman said $9.49 has been discussed as the daily rate per patient that the District would pay under the new scheme.

Since 70 percent of the hospital's patients are from the District, the proposed system of payment could make the hospital's budget very uncertain and unstable.

The proposed budget would prevent this by providing an indefinite Federal appropriation that would rise when other sources of revenue decline.

SECOND INDUCEMENT

This second step also provides the hospital itself with a financial inducement to return patients to community facilities as soon as possible. It would allow the hospital to keep its patient load down without losing funds and having to cut back on research.

The 1964 Federal budget also would provide a $2.5 million grant to assist George Washington University Hospital here to build an addition on 22d Street between I Street and Pennsylvania Avenue NW. The hospital will have to match this grant with donations from other sources.

NATIONAL SCIENTIFIC DATA PROCESSING CENTER

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, yesterday I introduced H.R. 1946, which would authorize the establishment in the United States of a National Scientific Data Processing Center to make readily available to American scientists research information assembled not only throughout the United States, but also throughout the world.

My legislation proposes that this nerve center for disseminating scientific information be located in the city of Chicago.

H.R. 1946, in effect, expands the work now being done by the National Science Foundation through its Science Information Service. Existing law charges the National Science Foundation with responsibility to "provide or arrange for the provision of indexing of abstracting, translating, and other services leading to a more effective dissemination of scientific information; and, second, undertake programs to develop new or improved methods, including mechanized systems, for making scientific information available."

This provision was included and approved as an amendment to the National Defense Education Act in 1958.

My bill expands the work of the Science Information Service by providing that all of the functions of the Service presently being conducted would be conducted from a centrally located scientific data processing center in Chicago. Here you would find a staff which would assemble, translate—where necessary—codify, and register on electronic computers and recall machines, the scientific data from all over the United States and the world to be readily available for use by American scientists.

Under my proposal, we would provide a more efficient method for scientific recall which, in the final analysis, is perhaps the most productive result of scientific research.

This Nation spends billions of dollars annually in scientific research both through activities of the Federal Government and in the private sector of our economy. There can be no question that some adequate method must be determined to coordinate the knowledge gained from this massive research and make it readily available to all of our scientists.

I am fully aware that this National Scientific Data Processing Center is a most ambitious project. But if the United States is to make full use of its intellectual resources, we must take steps now to make certain that scientific research will find the widest expression.

I have proposed establishment of the National Scientific Data Processing Center in Chicago for many reasons. The most important is that Chicago has within its immediate community seven of the Nation's outstanding universities, including the University of Chicago, which gave birth to the nuclear age. Within a radius of a few hundred miles of Chicago, throughout the Midwest, we find some of the Nation's finest universities, all of which are just a couple hours' drive from the city of Chicago. All of these outstanding institutions of higher learning could make available, on the one hand, personnel to help operate the Data Processing Center; and conversely, the scientific personnel of these institutions could readily draw upon the services of the National Scientific Data Processing Center in Chicago.

Another compelling reason for establishing this Center in Chicago is because Chicago is today the international crossroad of the world. Scientists from all over the country and all over the world would have ready access to the Center and its elaborate scientific data resources.

Another compelling and justifying reason is that Chicago and the entire area within a 200-mile radius today constitutes the greatest industrial concentration in the whole world, and from this industrial complex will flow the great scientific discoveries of the future.

Mr. Speaker, last year the National Science Foundation spent $10½ million in operating its Office of Science Information Service. At the conclusion of my remarks today, I shall include the report of the Foundation's work during 1962. The Foundation has indeed written an impressive record in its effort to make scientific research information more readily available to American scientists.

In fiscal 1963 the Foundation anticipates spending $13½ million for similar work, and I feel confident that the Foundation's record will be one to inspire praise. However, the chapter on dissemination of scientific information contained in the National Science Foundation's 12th Annual Report for 1962 clearly demonstrates the urgent need for establishing a central data processing center from which will flow the many corollary activities in this very important field. The Foundation's efforts to establish a center for Government reports in the Library of Congress is a good beginning. But this fails to cover the massive research in the private sector. I believe the report justifies my proposal better than anything I might say.

I hope the Congress will seriously consider my proposal. There is reason to believe that perhaps the world is now moving away from a tendency to resolve its differences through armed conflict, and instead there are strong indications that the great struggle between the two concepts in the world today will be waged in both the economic and scientific arenas. I predict that within a short time this whole process of scientific recall will constitute an entirely new and daring industry in the 7th decade of the 20th century.

This whole matter of properly coordinating and making available to scientists scientific research not only from within the United States, but all over the world, translated into English in those instances where the initial research has been done by scientists using other languages, is rapidly becoming one of the most important problems to confront this Nation.

It is for this reason that I sincerely hope we will obtain quick approval for this program so that we can indeed expand the excellent work already being

carried on by the National Science Foundation in the dissemination of scientific information.

Mr. Speaker, this whole project is neither unique nor original. Paradoxically, this idea stems from a program now in operation by the Soviet Union in Moscow. There is today a giant scientific data processing center in Moscow. Every Soviet legation, trade mission, delegation, and even Soviet travelers are instructed to gather whatever scientific data is made available to the public in the countries they visit. This information is then forwarded to Moscow, where it is translated into Russian and fed into giant electronic brains. Scientists from all over the Soviet Union have access to the data processing center in Moscow to study whatever scientific data interests them. I am quite sure this Soviet operation has played an important role in Russia's significant postwar scientific achievements.

There is no question in my mind, Mr. Speaker, that with our fantastic development of electronic computers and with the type of research that is being done today, for instance, by the Bell & Howell Corp. in Chicago in the art of scientific recall, we Americans can very quickly have operating a National Scientific Data Processing Center which will capture the imagination of scientists all over the world.

Mr. Speaker, following is the chapter on dissemination of scientific information which appeared in the National Science Foundation's 12th Annual Report, which was filed with the House of Representatives yesterday:

DISSEMINATION OF SCIENTIFIC INFORMATION

All scientific research produces information. All scientific research uses information. Maximum scientific progress requires maximum effectiveness in the dissemination of research-produced knowledge. Improving the control and dissemination of scientific information for the benefit of U.S. scientists is the fundamental mission of the Foundation's Office of Science Information Service (OSIS). Fiscal year 1962 marks the third full year of operation under directives the Foundation received from the President and the Congress in 1958–59.[1]

An extensive and highly complex, but relatively uncoordinated, scientific information system has existed in the United States for many years. It being neither desirable nor possible to wipe this system out and start completely anew, the plans and programs of the Office of Science Information Service necessarily involve simultaneously two basic efforts:

1. Promoting the study and development of new and better techniques and systems for controlling and disseminating scientific information.

2. Maintaining and improving existing services in this field.

HIGHLIGHTS

Three areas of scientific information can serve to illustrate and highlight the increased emergence in 1962 of an integrated pattern of OSIS activity that points toward a coordinated national scientific information system.

Grants as means and ends

In fiscal year 1962, OSIS made 232 grants (including contracts and purchase orders) totaling $7,575,000. During this same period, 311 formal proposals were received requesting over $16 million. Grants can be used merely to insure the achievement of immediate, more or less unrelated ends. But they also can be important means in a planned, coordinated program looking toward the accomplishment of major, long-term objectives. In the OSIS grant program, NSF places heavy emphasis upon the latter aspect.

Those grants solely or predominantly in the "means" category naturally are concerned largely with promoting the development of new and improved ways of handling, controlling, and disseminating scientific information, the ultimate goal being the achievement of a coordinated, effective national system. Such grants mostly can be grouped in terms of the following steps:

1. Obtaining a comprehensive picture of the existing situation.

2. Determining the information practices and needs of users of scientific information.

3. Carrying on studies and research on improved methods.

4. Supporting programs to test and evaluate new procedures and systems.

Among means-type projects illustrative of Foundation support along these lines in fiscal year 1962 are the extensive communications studies that the American Institute of Biological Sciences, the American Institute of Physics, and the American Psychological Association are conducting in their respective fields. An important aspect of these investigations is the description and analysis of present information activities and services. The same is true of the large-scale study of the abstracting-indexing problem recently launched by the National Federation of Science Abstracting and Indexing Services.

In the past, work directed specifically toward determining the information practices of scientists has been supported at Columbia University and the Case Institute of Technology. Obtaining such knowledge, which is basic to the analysis of needs, is another of the goals of the broad disciplinary and abstracting-indexing projects mentioned above. A Syracuse University analysis of how and to what extent scientists are using the translated U.S.S.R. journals impinges on this objective.

Studies and research on improved methods of information handling have emphasized fundamental investigations related to the mechanization both of the storage and retrieval of information and of translation. Representative of such work funded during 1962 are projects in linguistic research at the Universities of Pennsylvania and Texas and a study of new mathematical techniques of subject classification by the Cambridge (England) Language Research Unit. Other work looking toward improved procedures, but not directly linked to mechanization, includes a project at Georgia Institute of Technology on the training of information specialists; one by John I. Thompson Co. on the distribution of Government reports; and work by Arthur D. Little, Inc., on centralization of various aspects of information handling.

Experimental programs to test and evaluate new procedures and techniques are a logical followup of the preceding study and research activities. Among efforts of this kind is a project completed during 1962 by the British Association of Special Libraries and Information Bureau (ASLIB). By making a comparative study of the retrieval efficiency of four indexing and classification schemes, ASLIB developed a test method that has been applied to several operating systems, among them the American Society for Metals-Western Reserve University metallurgical searching service. Work is continuing under a new grant on both testing methods and evaluation of various indexing techniques.

Experimental development and test programs looking toward new procedures or systems for use in operating situations are the Mathematical Reviews' experiments and test runs with the Photon (a photocomposition device) for mathematical composition, and Chemical Abstracts' work in mechanizing certain aspects of its chemical information handling.

NSF has also supported conferences closely related to various phases of developing improved information procedures. Among such meetings in 1962 were a mechanical translation conference on syntactic analysis in Princeton, N.J., a workshop on information system design organized by the University of California (Los Angeles) and the American Documentation Institute, and a storage and retrieval workshop held by the U.S. Patent Office.

On the other hand, many grants necessarily are directed primarily toward meeting immediate needs and emergency situations. Examples include temporary and emergency funding of primary and abstracting-indexing journals, support of monographic publications, subsidy of translation journals, assistance to scientific societies for special projects, and the like. Even these can and do have important implications as means toward an ultimate, overall objective. Abstracting-indexing support, for example, is granted along lines that will aid in coordinating all such efforts. In brief, a very large fraction of the total grant effort in 1962 was either predominantly means in nature or had significant implications beyond any immediate ends that were met.

A Federal scientific information program

The Government, being itself a major producer and user of scientific information, possesses a large and complex internal program in this field. For the total U.S. system to be fully effective, intra-Government scientific information activities must be coordinated both with each other and with the extra-Government pattern. Effecting coordination within the Federal Establishment is complicated by the varying basic missions of different scientific information groups. Any overall coordinating effort must try to combine maximum value to the national scientific effort with minimum jeopardy to the various programs' individual responsibilities.

The Foundation's plan for discharging its Federal coordinating responsibility has involved, as a minimum, the cooperative development of a Government system that could provide any U.S. scientist or scientific organization promptly and reliably with: (1) information on the nature and status of federally supported research in progress; (2) announcements, abstracts, and indexes of reports issued on such research; (3) access to copies of these reports; and (4) a single source of information on where answers can be obtained to substantive scientific questions.

During 1962, significant additional progress was made toward this composite goal, through the joint efforts of OSIS and the several other agencies involved. Organizational mechanics were completed on the expansion of the former Bio-Sciences Information Exchange into the Science Information Exchange (SIE), which will cover the physical, and eventually the social, as well as the life sciences. The SIE maintains and provides information on who is performing what research where. To begin with, only research supported by Federal grants and contracts is being covered. Planning calls for further extension of the scope beyond Government-sponsored R. & D.

In the field of technical report literature, the Office of Technical Services (OTS) of the Department of Commerce has for some years published the abstracting journal U.S. Government Research Reports (USGRR). As a result of the Foundation's work with OTS and the report-originating agencies, USGRR's coverage has increased steadily for the past 3 years. During 1962, it became

[1] Title IX, National Defense Education Act of 1958 and March 1959 amendment to the Executive Order No. 10521.

essentially complete for unrestricted Atomic Energy Commission (AEC) reports, National Aeronautics and Space Agency (NASA) reports, and Department of Defense reports held by the Armed Services Technical Information Agency (ASTIA). To provide rapid subject-oriented announcement of technical reports, NSF promoted the establishment of a Keywords Index of documents, that later will be abstracted in USGRR. The first issue of this semimonthly journal appeared just at the close of the fiscal year.

USGRR always has carried information on how to obtain copies of all documents it abstracted. Thus, expansion of USGRR's coverage automatically has made many more technical reports easily available to the scientific and technical community. Also, a reference collection of all reports covered by USGRR has been maintained for some years in the Library of Congress. Eleven more such regional report centers were established during fiscal year 1962 in selected universities and libraries scattered across the Nation, increasing manyfold the number of scientists and engineers with ready reference access to these documents.

As noted above, the Science Information Exchange is designed to meet the need for a single source of information on the nature and status of federally supported research. A somewhat analogous need has been for a center that could dispense knowledge regarding the multitude of information services available within and outside of Government—that is, for a single source to which a scientist or an organization might go to find out where answers can best be obtained to specific questions. Toward the end of fiscal year 1962, plans were completed for the establishment of such a referral center in the Library of Congress during fiscal year 1963.

Supplementing these actions, which are tied specifically to the four minimum objectives stated previously, have been studies and surveys pertinent to a coordinated Federal information program as a whole.

But the Federal Government also has a scientific information responsibility beyond its own immediate operations. For example, various journals published by scientific societies are essential research tools for Government programs and find their principal (sometimes almost their total) market in the Federal establishment. NSF has played, and continues to play, a major coordinating role in these situations by calling together representatives of all parties concerned, private and Government, to work out fair and mutually beneficial patterns of support. A major 1962 advance in this problem area was the adoption by the Federal Council on Science and Technology, at NSF's recommendation, of a standardized Government policy favoring the honoring of journal page charges that increasingly are being levied by nonprofit scientific publishers. Enunciation of this policy was particularly significant in that it marked the recognition by the Council that dissemination of research results is an integral element in the R. & D. sequence and, therefore, properly should be supported from research funds.

Mechanical translation (MT) and coordination

One 1962 development in MT deserves special mention as a particularly significant coordinating advance. Encouraged by NSF's promotion of increased coordination in all Federal information programs, NSF, the Department of Defense, and the Central Intelligence Agency, developed, during 1962, plans for a joint research and development program for automatic language processing, with particular attention to MT.

DOCUMENTATION RESEARCH

The documentation research program concerns almost entirely the first of the two fundamental objectives of OSIS. It is directed principally toward stimulating and supporting studies, research, and experimentation along three general lines: (1) Identifying and assessing the information needs of scientists, (2) developing new and more effective systems—mechanized where advantageous—for handling and controlling scientific information, and (3) achieving mechanized translation of foreign language material into English.

Communication problems and information needs of scientists

Several major communications studies were mentioned previously. The one being conducted by the American Psychological Association includes the following topics: Communication and information practices of a sample of productive research psychologists; tools and techniques employed by psychologists who have prepared review papers; comparative coverage of "Psychological Abstracts" and the "Annual Review of Psychology"; the readership of psychological journals and the use of Psychological Abstracts; cross-citations among psychological journals and images of journals held by psychologists; the information exchange that takes place at meetings; the characteristics and patterns of communication within specialized societies or groupings in the field of psychology; and comparison of concepts expressed in titles of papers with those employed in indexing the papers. Another new study undertaken by the Advance Information Systems, Inc., is concerned with behavioral factors in information systems.

Information organization and searching

In the important University of Pennsylvania project on linguistic research, an exact, mechanizable procedure is being devised for converting a complex sentence into a much simpler form that will maintain the original meaning but be more amenable to machine processing for information retrieval. Much new knowledge about the English language is resulting from this work, and the development of computer programs to accomplish automatically the grammatical and transformational decomposition of English sentences is well along.

Other continuing projects showing significant progress this year include research by the National Bureau of Standards on the mechanical processing of both pictorial and linguistic information,[2] development by the National Biomedical Research Foundation of a computer program for automatically producing a tabular form of coordinate index, and an Advanced Information Systems, Inc., study of large file organization with emphasis on self-organizing capabilities.

Among the new projects are a Lehigh University study of models of information retrieval systems, Western Reserve University research on automatic processing of abstracts for storage and retrieval, and an engineering terminology study by the Engineers Joint Council.

Mechanical translation (MT)

Probably the most significant 1962 development in MT was the three-agency agreement previously mentioned regarding future research and development. In U.S. basic research in this field, a major portion of which NSF supports, considerable progress was made in fundamental studies of language structure including the design of computer programs to aid in language analysis, the compilation of bilingual computer dictionary programs, and the development of computer programs for steps in the translation process. Also of considerable importance this year was the third in a series of working conferences of MT investigators. This one was devoted to certain phases of the syntactic analysis of languages.

[2] Jointly supported by NSF and the Patent Office.

Evaluation of information systems and procedures

The Association of Specialized Libraries and Information Bureaus project, already mentioned, is an example of significant NSF-supported work in this area, one which is increasingly being emphasized in the OSIS program. Because of a lack of rigorous standards on which to base quality judgments, two exploratory studies were launched to develop criteria for evaluating information systems and procedures. They were recommended by a National Academy of Sciences-National Research Council (NAS–NRC) committee set up to study this question and were conducted by Stanford Research Institute and Arthur Anderson and Co.

Other NSF-funded 1962 projects with significant evaluative aspects included: A test program of the AMS–WRU metallurgical searching service, the results of which are being evaluated by NAS–NRC; a survey by users of this service by the Bureau of Social Science Research; and an NAS–NRC study of chemical notation systems to determine the uses currently being made of them and their strengths and weaknesses for organizing and searching information on chemical structures. Late in the year a grant was made to the Massachusetts Institute of Technology to design and establish, in the Boston area, a test environment in which controlled tests can be made of information system components and new types of service.

Surveys and reports

Two extensive state-of-the-art reports were issued with NSF support—on character recognition, by the National Bureau of Standards, and on coordinate indexing, by Documentation Incorporated. The Documentation Research Program continued to compile and publish its semiannual report on "Current Research and Development in Scientific Documentation," the May 1962 issue containing some 450 descriptions of R. & D. projects and studies in the U.S. and 20 other countries. During the year the program also surveyed operating systems that employ new techniques or devices and prepared for publication the third edition of its series "Nonconventional Technical Information Systems in Current Use."

SUPPORT OF SCIENTIFIC PUBLICATIONS

The activities of this program (SSP) are directed toward the goal of an optimum publication system for dissemination of research results. The program considers such a system to consist of two basic, related parts: primary publications for first reports of the results of research and secondary publications or services for reference purposes.

NSF concern with primary publication is largely a national problem, but the growth of world publication of scientific research results has broadened consideration of secondary reference services to the international level, especially in abstracting-indexing which is the keystone of scientific reference service. Projects supported are of two types, those that aid existing publications and services, and others that experiment with new techniques. Although the proposals received by SSP are many and varied, a major factor in their screening is their contribution toward providing prompt publication of the results of scientific research in a usable quantity and form.

Kinds of projects supported during 1962 included: modernizing and expanding coverage of abstracting-indexing services; publishing significant single items, including monographs, symposium proceedings, reviews, data compilations, and bibliographies; launching new primary journals; eliminating manuscript backlogs of existing journals; and experimenting with new publication-

oriented information techniques. Representative projects of particular significance follow.

Support of primary publications

During 1962 this program supported the launching of three new journals: Applied Optics, Applied Physics Letters, and Malacologia. The first of these, which began publication in January 1962, is directed toward physical, electron, and space optics; lens design; optical engineering; and plasma and solid state physics. Although jointly sponsored by the American Institute of Physics and the Optical Society of America, Applied Optics is published independently by the latter. The new journal is devoted largely to original research and to reviews of major research topics; articles may be published in English, French, German, and Russian. Applied Physics Letters, a second rapid publication medium in physics, is aimed at providing a quick announcement service for short papers in a number of fields not covered by Physical Review Letters, the first such journal initiated with NSF support. Malacologia provides a medium for literature in the field of mollusks; at present such literature is scattered through many journals. Research in this field is moving at a rapid rate in many countries, and this new outlet will allow more prompt publication of good papers in systematic and experimental areas of malacology. All NSF funding of primary journals is done on a temporary basis.

More than half of the grants made for the support of publication of 31 monographs during 1962 were in biology, where outlets, particularly for taxonomic volumes, appear limited.

The Pacific Science Congress and the International Physiological Congress were two international meetings receiving publication support.

Studies and experiments in scientific communication

The New York Botanical Garden pilot project on a machine coding system for plant taxonomy produced the first volume of the planned International Index. This volume contains all the plant families. Orders, genera, and species have also been coded. Subsequent volumes will contain this information.

Representative of the five catalogs and handbooks supported during 1962 is the "Checklist of Amphibians and Reptiles," an ambitious experimental project undertaken by the American Society of Ichthyologists and Herpetologists that will offer complete summaries of all North and South American species.

The American Institute of Physics Documentation Study mailed a questionnaire during 1962 to some 1,500 physicists to determine how physicists describe their own fields of activity. Analysis of these descriptions will form a basis for compiling improved subject indexes, and designing a more adequate reference retrieval system for physics literature.

With NSF support, a group of Latin American editors attended the February 1962 meeting of the U.S. Conference of Biological Editors (CBE). At this meeting they organized a Latin American CBE to provide a forum to promote improved biological journal publication in their countries. As an initial project they are working on a Spanish style manual similar to CBE's "Style Manual for Biological Journals."

Support of secondary services

Support was continued for improved operation and expansion of several major abstracting-indexing services including Mathematical Reviews, International AeroSpace Abstracts, GeoScience Abstracts, Biological Abstracts, and Chemical Abstracts.

The Operations Research Society of America (ORSA) initiated publication of the International Abstracts in Operations Research with NSF grant funds. In addition to the conventional author and subject indexes, each issue of IAOR contains a digest that lists abstracts serially and describes the referenced publication by key words indicating principal topics and methodology and by letter codes representing bibliographic, computational, experimental, and other aspects of the contents.

Support of specialized bibliographies was limited, and only experimental indexing projects were considered. Six grants were made during 1962 for the publication of compilations in such diverse subjects as ethnography of South America, radioastronomy, and palynology.

NSF support during 1962 played a significant role in a number of activities relative to mechanization of abstracting-indexing procedures. For example, grant funds provided for the purchase of a Photon by the American Mathematical Society for use in developing complex mathematical photocomposition. Conversion to tape typewriters by Engineering Index will enable them to initiate monthly issues and to prepare these; as well as the annual issue, from a single typing. Permuted indexes were published by both Chemical Abstracts and Biological Abstracts. Large scale application of this indexing technique is relatively recent, however, and funds were provided for further experiments. A grant was made for an experimental citation index in the field of statistical methodolgy. Chemical Abstract's mechanized file of chemical compounds, permitting computer searches for both molecular and structural correlations, approached productive level of coverage, and codes were developed to relate biological, physical, and physiological properties to the appropriate chemical entity.

FOREIGN SCIENCE INFORMATION

The basic mission of the Foreign Science Information program is to promote the effective availability in the United States of scientific research results published in foreign countries and to foster interchange of scientific information between these countries and the United States. This mission is implemented by encouraging the broadest possible communication between U.S. scientists and their counterparts throughout the world. Program activities are designed:

1. To promote effective acquisition of foreign scientific publications through purchase and by exchange between United States and foreign organizations.

2. To provide data to the U.S. scientific community on sources and availability of foreign scientific information, which includes support for scientific and technical reference aids.

3. To increase the scope and quantity of translations of the most important foreign scientific publications.

4. To stimulate cooperation with international organizations in support of projects which will add to the U.S. store of information and materially improve scientific communication on an international scale.

Translations

Emphasis was placed upon encouraging professional groups to obtain access to foreign scientific literature through programs of selective translation, principally from the Russian, and to inaugurate new programs for the translation of Japanese scientific journals in physics, chemistry, biology, and selected areas of engineering. By the end of the fiscal year, NSF was supporting, through grants to scientific societies and universities, the cover-to-cover translation of 42 Soviet scientific and technical journals and selected translations from 13 others.

An example of a highly selective translation journal is International Chemical Engineering, inaugurated by the American Institute of Chemical Engineers, which concentrates on the literature of the Sino-Soviet bloc. Funds were granted to the American Mathematical Society for translation of the Communist Chinese journal, Acta Mathematica Sinica. Also, the American Institute of Physics was supported in a cooperative arrangement with the Japan Physical Society to encourage the dissemination in the United States of the English-language journal, Japanese Bulletin of Applied Physics.

Oversea translation activities carried out during fiscal year 1962 under Public Law 480 (Agricultural Trade Development and Assistance Act of 1954) constitute another important effort to utilize the results of foreign research and to stimulate international scientific cooperation. This program is being carried on in Israel, Poland, and Yugoslavia by Federal agencies using foreign currencies accruing through the sale of U.S. agricultural commodities overseas. A total of 25,800 pages of Russian, 13,000 pages of Polish, and 4,300 pages of Serbo-Croatian material was translated and disseminated in the United States in fiscal year 1962, under Foundation leadership. In addition, simultaneous English language editions of the leading Polish and Yugoslav primary journals are now underway.

Studies and reference aids

Considerable emphasis was placed on studies of scientific research and information activities in foreign countries. These included compilation of directories of foreign scientific research institutions and scientists, reviews of the state-of-the-art of sciences in foreign countries, science information activities in foreign countries and international organizations, and preparation of bibliographic guides to foreign scientific publications.

There was a similar concentrated effort to produce guides for the scientific community relating to foreign scientific literature available in the United States, both in the original languages and in translation.

International activities

The FSI program has been instrumental in developing measures for closer coordination of science information activities among international scientific and information organizations, such as United Nations Educational, Scientific, and Cultural Organization, International Council of Scientific Unions, Federation of International Documentation, International Federation of Library Associations, International Organization for Standardization, and others. Assistance has also been rendered to appropriate U.S. agencies and organizations in the development and strengthening of information activities within, or supported by, these and similar international organizations.

Resources and exchanges of information

Finally, emphasis was placed during the past year on fostering programs for the acquisition and exchange of foreign scientific publications. With NSF support, a large-scale exchange has been worked out by the American Mathematical Society and the Lenin State Library whereby multiple copies of some 700 Soviet scientific periodicals come directly to approximately 75 U.S. research libraries. The American Mathematical Society provides U.S. publications in return.

RESEARCH DATA AND INFORMATION SERVICES

The two general problem areas of primary concern to this program are: (1) the Government system for the control and dissemination of scientific information stemming from federally supported research and development, and (2) specialized data and information centers. These categories obviously are not mutually exclusive since the Federal information complex includes a number of specialized services, and many privately sponsored centers handle certain Government-originated materials and include Federal agencies among their users.

Major 1962 emphasis continued to be on stimulating and, where appropriate, supporting the coordination of various Federal information activities, looking toward the development of a balanced, effective overall Government system.

The Federal scientific information system

NSF's major role in these activities has been to encourage and work with the Federal agencies that are operationally involved. In some cases financial support also has been provided, usually for necessary experimentation or to speed up initiation of specific projects.

The Science Information Exchange, an expansion of a similar project of some years' standing in the life sciences, increasingly is providing information on federally supported research in progress in the physical and biological sciences. Plans call for later extension to include the social sciences and to cover privately sponsored research. Abstracting coverage by U.S. Government Research Reports has become essentially complete for unrestricted AEC, NASA, and ASTIA-held Department of Defense reports. OTS' new Keywords Index now can provide prompt, subject-oriented announcement of reports subsequently abstracted in U.S. Government Research Reports. Twelve regional report centers give scientists and engineers in major U.S. research and development centers ready reference access to the technical reports covered by USGRR. At the end of the fiscal year, the Library of Congress had just begun to establish a referral center that will provide a single source to which a scientist or engineer can go for information on where answers to substantive scientific questions can best be obtained.

Supplementary to these specific steps in the direction of a well-coordinated Federal information system have been studies on the initial distribution of technical reports, on the practicability and implications of various degrees of centralization of Federal information activities, and on problems of compatibility between existing information systems.

Data and information centers

The continued growth in the number and use of scientific data, reference, and information centers has resulted in numerous requests to the Foundation for funds to establish and support such operations. NSF activities in this area are designed to develop basic information on the use and value of data centers and the services they perform.

Late in the year the Foundation initiated, as a part of a general continuing study, a comparative economic analysis of two different hypothetical information systems—one, a subject-oriented information service network and the other, a geographically-oriented network. The study, being carried out by a private firm, involves the construction of models characteristic of the two systems and the formulation of various mathematical expressions of the systems, through the use of which a comparative economic analysis is being made.

Under contract to the Foundation, the Battelle Memorial Institute carried out an extensive survey of specialized science information services in the physical and biological sciences. A directory based on the survey and listing more than 400 such groups was published during 1962. Entitled "Specialized Science Information Services in the United States," the directory is designed for use as a reference aid for working scientists and engineers.

A grant was made to the American Society of Mechanical Engineers for the establishment of a scientific film library service on flow visualization research data in fluid mechanics. Purpose of the project is to improve the dissemination of such data available on motion picture film and, at the same time, to serve as an experiment in the use of scientific film as a medium for exchange of information among scientists.

EDUCATION AND TRAINING

Although not established as a formal program, the OSIS education and training activity functioned during 1962 in much the same manner as the programs described above. The fundamental overall mission of this effort continues to be the improvement of the competence of: (1) science librarians and information specialists in organizing, controlling, and disseminating scientific information, and (2) scientists and engineers in the use and presentation of the results of scientific research. The Foundation's long-range objective is to encourage the development in U.S. colleges and universities of curriculums, of various kinds and at a variety of levels, that will accomplish this two-phase mission. NSF's own role in stimulating and promoting such curriculum development requires it to study, on a continuing basis, the needs for trained manpower in these areas; to work with the universities and scientific groups in establishing program requirements for training the needed manpower; and to develop within the Foundation an effective, realistic plan of encouragement and support.

During the past year, activity in this program has concentrated on the initial aspects of the first of the mission areas. Studies were conducted in-house to obtain current information on educational programs, both academic and nonacademic, for training information personnel. Library school curriculums were surveyed to determine the extent to which course offerings prepare librarians for work with science collections or science information centers. Also, a survey was conducted of curriculums in other departments of universities to determine the extent to which they are applicable to training students for work with science information. Finally, the content of various conferences, institutes, and short courses on science information activities was examined to determine its relevancy to training programs for librarians and information specialists.

In addition to the in-house activity, a grant was made to the Georgia Institute of Technology for a study of various factors that affect development of educational programs for information specialists. These include development of curriculums, recruiting students, faculty requirements, and the relative values of short courses and degree programs. Preliminary conclusions developed from the study indicate that university programs for training specialized personnel for work in various aspects of science information can and should be developed.

Studies for support and encouragement of educational programs was also a major project in the 1962 education and training activity. The planning and development was coordinated with the NSF Division of Scientific Personnel and Education (SPE). Implementation by this division is expected to begin during the next fiscal year.

GOVERNMENT EXPENDITURES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I should like to ask a very important question: Is the tax cut recommended by President Kennedy, with no recommended cut in Government expenditures, really intended to serve our economy or actually to serve the political fortunes of President Kennedy in 1964?

Has the administration asked us to risk a tax cut, and another huge deficit of $11.9 billion, for political or for economic purposes?

This is not a facetious question. It is one of major importance and quite pertinent.

Last night in a speech before members of the Democratic National Committee, here in Washington at the Sheraton-Park, Ted Sorensen, special counsel to President Kennedy and longtime aid and adviser, quite frankly told the assembled group that President Kennedy's prospects of reelection depended upon forcing Congress to cut taxes this year.

I do not believe the Congress will be willing to endanger the fiscal stability of the country that political ends may be served. If taxes are to be cut, we should likewise cut expenditures, however politically popular the expenditures may be.

AMENDING TITLE X OF THE MERCHANT MARINE ACT OF 1936

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. BONNER] may address the House for 1 minute and to revise and extend his remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BONNER. Mr. Speaker, yesterday I introduced a bill, H.R. 1897, to amend the Merchant Marine Act, 1936, as amended, which would reinstate and bring up to date title X of the Merchant Marine Act of 1936.

Immediately following the enactment of the 1936 act, which established a comprehensive and long-range national policy for our merchant marine, the then new U.S. Maritime Commission was directed to make overall studies of the maritime industry and report to Congress as soon as possible as to additional needs and mechanisms to make the basic policy fully effective. In 1938, a number of legislative modifications, including two new titles to the act, were recommended. One of these recommendations which was adopted in the 1938 amendments to the 1936 act, was title X, to set up a Maritime Labor Board with powers to mediate in this very specialized industry. The Board was also directed to submit a comprehensive plan for the establishment of a permanent Federal policy stabilizing maritime labor relations.

Unfortunately, before the newly established Maritime Labor Board was able to complete its studies and make its recommendations, World War II intervened and the legislative authority for surveillance of maritime labor expired.

Experience during the postwar years has shown the need for special treatment of strikes and lockouts in the maritime industry when the normal processes of collective bargaining break down and threaten the national health and safety.

After an extensive study of conditions in maritime labor-management relations by the Committee on Merchant Marine and Fisheries in 1955 and 1956, this com-

mittee had hopes that the industry might be able to put its own house in order without resort to extreme measures to protect the public interests. Events in recent years show that these hopes were in vain.

The bill I introduced yesterday was made necessary by the actions of a small group of willful men in imposing a stranglehold on a large portion of the waterborne commerce of the United States. Since 2 days before Christmas, we have seen our ships on the gulf and east coast tied up with their cargoes rotting and with a progressive slowdown in our economy resulting from the inability to move our goods in foreign commerce.

Quite aside from the direct loss to shipowners, their crews, the longshoremen, and others engaged in the handling of our exports and imports, there is incalculable loss to almost every other segment of industry in this Nation. The farmers of South Carolina must stand by while their seed potatoes rot in the holds of idle vessels. The automobile manufacturer in Detroit faces the loss of sales abroad by reason of his inability to deliver cars.

In my own State, the Wertheimer Manufacturing Co. has had to close down its operations in the manufacture of bagging for agricultural products of North Carolina and elsewhere in the Southeast due to inability to receive imports of jute, the key fiber for bag production. Only this morning I received a wire from the vice president of the American Carpet Institute, which reads:

> Dock strike causing serious crisis in carpet industry with many plants forced to curtail production or close in next few days as result of jute shortage. Request you wire President Kennedy for immediate action to end strike.

These are only a few examples of the mounting national stranglehold of American industry. Multitudes of workmen in many industries are deprived of the opportunity to earn their wages because the fruits of their labor cannot move in the stream of commerce.

I am a great believer in the process of free collective bargaining but experience in recent years has weakened my faith in its application to the maritime industry. Over the past few years we have seen strikes of considerable duration in virtually all phases of the industry with resultant great harm to our economy at a time when our need for increased foreign business is critical.

Existing law has not been and is not adequate to deal with the type of problem exemplified by the current dock strike. Here is the record of the use of the Taft-Hartley Act in maritime labor disputes:

June 1948: Against west coast longshoremen, and several seamen's unions, affecting shipping on Atlantic, Pacific, and gulf coasts, and Great Lakes. Settled in part with seamen, but longshoremen resumed strike for 3 months, after injunction was dissolved.

August 1948: Board set up for North Atlantic longshoremen. Settlement reached in negotiations, but rejected by membership and strike pursued after injunction was dissolved.

October 1953: Board set up for North Atlantic longshoremen after strike began. Strike halted by injunction October 5. Problem involved independent union and newly formed AFL unit. Strike resumed in New York March 5, 1954, for 2 months. Settlement reached December 31, 1954, with retroactivity to October 1, 1953.

November 1956: Board created in dispute involving longshoremen from Maine to Texas. Ten-day strike halted November 26, but resumed February 12, 1957, when injunction expired. The second strike involved only North Atlantic ports, which returned to work February 23.

October 1959: Board created October 6 to halt strike from Maine to Texas. Settlements reached in various ports from December 1 for New York to December 26 for gulf ports. Gulf ports were real reason this strike began because North Atlantic had initially settled before September 30 midnight deadline.

June 1961: Board created to halt nationwide seamen's strike. Injunction halted walkout July 3 and partial settlements were reached with foreign-flag issue still pending, although recommendations were due within 6 months. West coast officers union resumed strike after injunction expired.

April 1962: Board created to halt west coast unlicensed seamen's strike. Settlement reached just before injunction expired.

October 1962: Board named within 10 hours after east and gulf coast longshoremen walked out. Injunction presented within 4 days; strike resumed December 23 when injunction expired.

Clearly, something must be done.

At present in the longshoremen's strike, the processes of collective bargaining have proved inadequate to meet the overriding needs of the public, and the very Nation itself. Therefore, we must seek elsewhere for a solution to prevent further damage to our economy.

Since the parties to the dispute have not been able to resolve their differences over the conference table in the manner of reasonable men, and since the Government has proven itself powerless to protect the public interest, it appears to me that legislation is imperative to establish machinery whereby differences in an industry as vital as this may be resolved in the public interest. My bill seeks to solve the problem by adding a final conclusive step to the ordinary processes of collective bargaining, mediation and factfinding, by requiring submission of controversies to compulsory arbitration when the President finds that such step is necessary in the public interest.

It is my hope that use of the machinery and the authority therein provided will be availed of only as a last resort when all other efforts have failed.

I intend to press for enactment of this bill at the earliest opportunity.

I do not regard it as a complete solution to the labor relation ills of the maritime industry and I pledge the House that I will proceed to a comprehensive review of the entire problem during the current session.

The text of my bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Merchant Marine Act, 1936 (49 Stat. 1985; 46 U.S.C. 1131), as amended, is further amended by adding thereto title X, sections 1001 to 1013, inclusive, which shall read as follows:

"TITLE X

"SEC. 1001. It is hereby declared to be the policy of the United States to eliminate the causes of certain substantial obstructions of the free flow of waterborne commerce and to mitigate and eliminate these obstructions when they have occurred by encouraging the practice and procedure of collective bargaining and the prompt and orderly settlement of all disputes concerning rates of pay, hours of employment, rules, or working conditions, including disputes growing out of grievances or out of the interpretation or application of agreements covering rates of pay, hours of employment, rules, or working conditions.

"SEC. 1002. As used in this title X, the term 'maritime industry' shall include employers, employees, and parties to the dispute defined as follows:

"(a) The term 'employer' shall include owners and operators of all American-flag oceangoing vessels and of all auxiliary craft such as tugs, lighters, and barges serving oceangoing vessels in the waters of the United States, employers of longshoremen and all other classes of labor engaged in work on piers or wharfs in the United States in connection with handling, receipt, loading, discharge, and delivery of cargo to or from oceangoing vessels; and, only with respect to their shore-based employees in the United States, owners and operators of foreign-flag oceangoing vessels.

"(b) The term 'employees' shall include all seagoing personnel, licensed or unlicensed and whether supervisory or not, and all other employees, other than executive and administrative personnel employed ashore, of owners and operators of American-flag oceangoing vessels working in the United States; all personnel employed in the United States by stevedoring companies servicing American and foreign-flag oceangoing vessels; all other employees engaged on piers and terminals in the United States; all employees serving on auxiliary craft such as tugs, lighters and barges operating in the United States ports; all pilots rendering service to American-flag oceangoing vessels in the United States ports and all personnel of foreign-flag carriers employed ashore in the United States.

"(c) The term 'parties to the dispute' shall for the purposes of sections 1005(b), 1006, 1009(e), and 1010, include all employers and employees as defined herein who have resorted or who may resort to strike or lockout in connection with a labor dispute whether or not they may be direct participants in such dispute.

"(d) The term 'United States' shall include its territories, possessions, and the Commonwealth of Puerto Rico.

"(e) Where in this title resort to strike or lockout or interruption of work is forbidden, such prohibition shall include also threats, inducements, picketing or violence designed to induce such strike, lockout or interruption of work.

"SEC. 1003. When a dispute arises out of any collective bargaining negotiations, which has led or threatens to lead to a strike or lockout which would affect a substantial part of the United States merchant fleet in any area of the United States and which if permitted to continue or occur would imperil the effective operation of a substantial part of the United States merchant fleet in any area of the United States or which in any other way would imperil the national

health and safety, then the Director of Federal Mediation and Conciliation Service (hereinafter called the 'Director') not later than seventy-two hours prior to either the termination of the collective-bargaining agreement, or seventy-two hours prior to the earliest time when a strike or lockout could commence under the terms of such agreement, or as soon as possible after any strike or lockout occurs, shall report such facts to the President of the United States and shall promptly advise the parties to the dispute that he has done so.

"SEC. 1004. (a) Upon receiving such a report from the Director the President in his discretion may appoint a Maritime Emergency Board which shall consist of a chairman and such other members as the President shall determine.

"(b) The Board shall hold an inquiry including written or oral submissions of the parties to the dispute as the Board deems appropriate and within seven days of its appointment make a written report to the President which shall include a statement of the facts with respect to the dispute, each party's statement of its position, and whether there is, or in its opinion there is a threatened, strike or lockout which would affect a substantial part of the United States merchant fleet in any area of the United States and which if permitted to continue or occur would imperil the effective operation of a substantial part of the United States merchant fleet in any area of the United States or which would in any other way imperil the national health and safety and thus create a national emergency.

"SEC. 1005. (a) Upon receipt of such written report from the Board the President may (1) dismiss the Maritime Emergency Board, or (2) declare the existence of a national emergency as defined in section 1004 hereof and instruct the Board to attempt to settle the dispute by further mediation between the parties.

"(b) From the time the Director advises the parties that he has filed his report with the President until ten days after (a) the President announces his intention not to appoint such a Board, or (b) the President dismisses such Board as provided in section 1006 hereof, the parties to the dispute shall resume and/or continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the existing or last-existing contract.

"SEC. 1006. (a) On the declaration of a national emergency, the President is hereby authorized to order the parties to the dispute to continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the last existing contract (except as otherwise agreed in writing by the parties) until such time as agreement regarding the dispute is reached but no longer than eighty days from the declaration of the national emergency unless at that time the Board has reasonable grounds for believing that further mediation efforts may bring about a settlement and so advises the President and the parties, in which event the parties to the dispute shall continue in full force and effect without resorting to strike or lockout all the terms and conditions of the last existing contract (except as otherwise agreed in writing between the parties) until such time as settlement is reached or for fifteen days after the Board reports to the President that further mediation efforts are useless.

"(b) Notwithstanding the expiration dates of the prohibition against strike or lockout provided by subsections (b) of section 1005 and (a) of this section 1006, such prohibition, in the case of a dispute between an employer covered by this Act and its employees aboard an American-flag vessel operating under shipping articles, and with respect to any such vessel which at or after the time of the expiration date of the prohibitions aforesaid and while the dispute is still pending arrives at a United States port, shall with respect to such vessel and its cargo be extended in its application to all employers and employees in the maritime industry as defined in Section 1003 hereof, until the due completion of the articled voyage including the discharge and customary handling and delivery from the wharf, pier or terminal of cargo aboard such vessel.

"SEC. 1007. In conducting mediation between the parties the Board is authorized to recommend procedures or techniques to the parties which appear conducive to settlement; to make findings of fact, upon due notice and hearing, regarding the issues in dispute and related matters, and upon authorization from the President, to make recommendations to the parties regarding settlement of these issues which recommendations may be made public.

"SEC. 1008. (a) The Board, in conducting mediation, shall have power to sit and act in any place within the United States and to conduct such hearings either in public or in private as it may deem necessary or proper.

"(b) Each member of the Board shall receive compensation at the rate of $100 for each day actually spent by him in the work of the Board, together with the necessary travel, subsistence, and other expenses incurred while serving as a member of the Board.

"(c) For the purpose of any inquiry or mediation conducted by any Board appointed hereunder, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (U.S.C. 19, title 15, secs. 49 and 50, as amended), are hereby made applicable to the powers and duties of such Board.

"SEC. 1009. (a) If the Maritime Emergency Board should report to the President, either during the first eighty days after declaration of the national emergency or thereafter under the provisions of section 1007(a) hereof, that further mediation efforts would be useless, the President within twelve days thereafter, if he should find that an emergency threatening the national safey or welfare would otherwise result, and if he deems it necessary under all the circumstances, may appoint a panel of three disinterested persons, who may if he so desires be or include the same persons who served on the Maritime Emergency Board, to serve as a National Maritime Arbitration Board to hear and settle the dispute. The issues to be submitted to and determined by the Arbitration Board shall, except as otherwise mutually agreed by the parties, be limited to the issues set forth in the findings of fact of the Maritime Emergency Board made under section 1004 (b) or 1007 of this Act.

"(b) The National Maritime Arbitration Board shall organize and select its own chairman and make all necessary rules for conducting its hearings: *Provided, however,* That the Board shall be bound to give the parties to the controversy a full and fair hearing, which shall include an opportunity to present evidence in support of their claims, and an opportunity to present their case in person, by counsel, or by other representatives as they may respectively elect.

"(c) A National Maritime Arbitration Board may, subject to the approval of the Director, employ and fix the compensation of such assistants as it deems necessary in carrying on the arbitration proceedings. The compensation of such employees, together with their necessary traveling expenses and expenses actually incurred for subsistence, while so employed, and the necessary expenses of a National Maritime Arbitration Board shall be paid by the Department of Labor. The provision of section 1009 (except as to private hearings) shall apply also to the National Maritime Arbitration Board.

"(d) The Board shall endeavor to enter its award within sixty days after its appointment, or as soon thereafter as may be reasonably possible. It shall deliver copies of its award, containing its reasons therefor, to the President, the Director, and the parties to the dispute. The award shall be final and binding upon the parties for the term of the ensuing contract as agreed by the parties. If one of the issues is the duration of the contract, then the award shall be final and binding for one year from the date of the award or for such longer period as may be mutually agreeable to the parties.

"(e) During the period between its appointment and the expiration date of its award, the parties to the dispute shall continue in full force and effect, without resorting to strike or lockout, all the terms and conditions of the last existing contract of employment except as modified by (1) the arbitration award under this section and (2) any agreement in writing between the parties to the dispute for other and different terms and conditions.

"SEC. 1010. (a) Any party violating any provision of this title shall be liable in damages to any other party injured thereby by suit brought in any district court of the United States having jurisdiction of the parties, without respect to the amount in controversy or without regard to the citizenship of the parties.

"(b) In the event any party violates or threatens to violate any of the provisions of this title with respect to disputes set forth in sections 1003–1006 and 1009 hereof the President of the United States may direct the Attorney General to petition any district court of the United States having jurisdiction of the parties to enjoin said violation or strike or lockout, and such court shall have jurisdiction thereof without regard to the Act of March 23, 1932 (47 Stat. S. 70; U.S.C. 1001–115).

"SEC. 1011. This title X shall govern the settlement of labor disputes within the maritime industry, as herein defined, and sections 206 to 210, inclusive, of the Labor-Management Relations Act, 1947, as amended, shall be inapplicable to the merchant marine industry. All other provisions of the Labor-Management Relations Act shall apply to the maritime industry except that if any should be contrary to or inconsistent with this title X then the provisions of this title X shall control.

"SEC. 1012. If any provision of this title X or application thereof to any person or circumstance is held invalid the remainder of this title and the application of such provision to other persons or circumstances shall not be affected thereby.

"SEC. 1013. There is hereby authorized to be appropriated such sums as may be necessary for expenditure by the Federal Mediation and Conciliation Service in carrying out the provisions of this title including the payment of the compensation and expenses of the members of any Maritime Emergency Dispute Board and National Maritime Arbitration Board."

BUDGET MESSAGE OF THE PRESIDENT

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. MCCLORY] is recognized for 5 minutes.

Mr. MCCLORY. Mr. Speaker, as a new Member of Congress, I have been greatly disturbed by the budget message and request of the President delivered yesterday to the House. The constitutional authority of the House of Representatives for raising revenues contemplates that this body shall be the keeper of the

purse strings of the Nation. We have heard other learned and cogent remarks on the floor of this House deploring the record peacetime budget of almost $100 billion.

We have heard discussion too of the responsibility of the House to investigate the budget requests and to establish a sound schedule of expenditures which might match the anticipated revenues during the coming fiscal year.

But I say that the desire to cut Government expenditures with regard to nondefense spending is an overwhelming desire on the part of the people of this Nation. The demand was voiced here on the floor yesterday by the distinguished chairman of the House Appropriations Committee, and this position was supported by all of the other Members who addressed themselves to this subject.

But the responsibility for setting expenditures of the Federal Government is an Executive function as well. Indeed the executive department of our Government, as the manager of the business of our Nation, should, and does, know best where reductions in spending can be made.

I say on behalf of the overwhelming majority of members of my party that the 48 percent of the people who voted for Republican Members of the House in the recent elections want Federal Government spending kept within the limits of Federal revenues. Indeed a large percentage of those who voted to elect Democratic Members of Congress did so in support of Members from the other side of the aisle who advocated reduced Federal spending.

The desires of the Congress and the people should be clear. The cut in Federal spending on the basis of this budget should be anywhere from $7 to $12 billion. That is the hope and desire of the people and, I believe, of the majority of the Congress.

Where the reduction in spending should occur, the exact departments and agencies which should absorb these cuts, the exact jobs which should be eliminated, the governmental functions which should be ended, the projects which should be abandoned or postponed, these are decisions which the Executive should make.

The Congress and the people want an end to ever-increasing Federal spending.

Let us, by whatever action is needed, make our position clear.

Let then the Executive, by whatever steps are needed, bring soundness, stability, and strength to the economy of the Nation and the welfare of the entire world.

SOCIETY OF FRIENDS OF PUERTO RICO AWARD THE ONE AMERICA AWARD TO AMBASSADOR TEODORO MOSCOSO

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, on January 12, 1963, the Society of Friends of Puerto Rico awarded its second Eugenio Maria de Hostos One America Award to Ambassador Teodoro Moscoso, Assistant Secretary of State and Coordinator of the Alliance for Progress. The Society of Friends of Puerto Rico bestows the Eugenio Maria de Hostos One America Award to the American who best exemplifies the ideas and ideals of Eugenio Maria de Hostos, one of Latin America's outstanding intellectual leaders of the 19th century, a Puerto Rican who devoted his life to the fight for freedom for his country and the economic and political union of the Western Hemisphere.

Before President Kennedy named him U.S. Ambassador to Venezuela and later Coordinator of the Alliance for Progress, Ambassador Moscoso was the director of Operation Bootstrap in Puerto Rico—the industrial development program which has been so phenomenally successful.

Mr. Speaker, those in attendance at the award were charmed by the delightful remarks of Mrs. Amalia R. Guerrero, who is the founder and president of the Society of Friends of Puerto Rico. Under the inspiring leadership of Mrs. Guerrero, the Society of Friends of Puerto Rico is playing an invaluable role in our community.

O. Roy Chalk, civic and business leader of New York and Washington, served as chairman of the dinner at which the presentation was made. Mr. Chalk gave unstintingly of his time and effort to make the dinner a success.

Mr. Speaker, under leave to extend my remarks, I include the address of Ambassador Teodoro Moscoso:

ADDRESS BY THE HONORABLE TEODORO MOSCOSO

Madam President and all good friends of Puerto Rico, it is such an inadequate gesture to say thank you for the award you have given me tonight. One says thank you for commonplace courtesies, for passing the salt, for the loan of a pencil. I'm afraid that neither of our languages, Spanish nor English, has words to express the feelings of an undeserving individual honored by a presentation that links his name with one of the truly great and admirable men of our past.

Eugenio Maria de Hostos was in all respects a Western Hemisphere man. He knew the Americans intimately from New York to Santiago. For his great devotion to human freedom, for his remarkable versatility, for his imagination and formidable energy we must count him alongside Jefferson.

We see him in 1863—precisely 100 years ago—a young Puerto Rican student in Spain, joining the first advocates of a Spanish republic, agitating for more autonomy for Puerto Rico and for the abolition of slavery.

We see him in New York in 1870 editing a paper for Cuban independence; in Peru in 1871 leading a successful campaign against the exploitation of Chinese immigrant workers; in Chile proposing the trans-Andean railroad; in Washington in 1899 advocating before President McKinley a plebiscite and a plan of self-government for Puerto Rico.

All during that period books, essays, and articles poured from his pen so that, at his death in 1903, he had created his own enduring monuments in a stack of 50 volumes.

Now we can look back and see in his example a lesson for the great undertaking of the Americas in our time, the Alliance for Progress. De Hostos personified the historic search for hemisphere peace and prosperity through unity of free and diverse elements that the Alliance hopes to bring to a successful culmination.

You could say that the Alliance for Progress had its true inception in the visionary minds of men like De Hostos and Bolivar. Just when the Alliance began, or how old it is, are matters almost of random choice.

In September 1960, in Colombia, the American republics signed the historic Act of Bogotá calling for hemispheric cooperation in attacking illiteracy, ill health, poor housing, and archaic tax and land-tenure systems.

The Act of Bogotá was in harmony with the spirit of Operation Pan America proposed by President Kubitschek, of Brazil.

On March 13, 1961, President Kennedy called for an Alliance for Progress of the nations of this hemisphere—in his words, "a vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools."

The Charter of Punta del Este, signed by the finance ministers of the member nations of the Organization of American States, except Cuba, in Uruguay in August 1961, established the Alliance and set the stage for its actual beginning. That was 1 year and 5 months ago.

No undertaking of this magnitude ever springs full blown from the minds of men, or even from a great document like the Charter of Punta del Este. It was only little more than a year ago that a U.S. Coordinator for the Alliance was named and established in office. (At the moment, his name slips my mind.)

From the very beginning we had to satisfy ourselves, Congress, and the people of the United States that we were not indulging in any giveaway program. And we had to convince the republics of Latin America that it wasn't going to be a giveaway program. On the other hand, we had to show that it wasn't simply a bureaucratic obstacle course either.

At the same time we had to cope with two other somewhat contradictory requisites. The ultimate success of the Alliance was bound to depend on long-term planning and careful, studied apportionment of the available funds. But the peoples of Latin America were either ignorant or skeptical of the Alliance. They needed to be shown quickly and visibly, not with mere blueprints, that the Alliance could do something for them. They needed vivid demonstrations of the fundamental theory of the Alliance for Progress, the theory of the peaceful revolution. That theory is that through cooperation and determination you can change misery into decency and dignity without bloodshed—that we have reached a state of civilization where people no longer should have to die to enable the survivors to live better.

It is a grim and grievous fact to contemplate, but many good people have died in Latin American revolutions without any perceptible benefit to the masses of their countrymen for whom they fought.

I believe Latin America is ready now to try another way, the Alliance for Progress way. If it proves to be only half a success it will have done more good for more Latin Americans than a great many past revolutions we all could name.

In the short, crowded months of the Alliance's beginnings we have already given the people some demonstrations that the wheels of progress are best oiled by honest sweat and too often clogged by a futile spilling of blood and tears.

Tens of thousands of new houses have been built in the past year or so from the Rio Bravo to southern Chile and more are going up every day.

Tens of thousands of farm families have been resettled on their own land and have access to credit facilities, technical assistance, and public services.

Thousands of schools are being built in constantly increasing numbers and teachers trained to staff them.

Health centers and hospitals are being built to end what is both a moral failure and an economic waste of human resources.

Many thousand miles of roads are being laid down to bring farm products to market or industrial goods to the ever-increasing consumer groups.

In Venezuela an extensive program of land reform has resettled 55,000 families on farms whose total area runs to 5 million acres. Labor unions and employers have joined in a program to build low-cost homes. The budget for health and education has been tremendously expanded.

Why then, you may ask, do we hear of violent rebellions against the government of President Betancourt? Precisely because these programs are giving the average man not only a sense of his right to economic and social justice, but a living hope that he will achieve them. And freemen are dangerous in the eyes of extremists.

In Brazil's impoverished northeast a massive attack on misery is underway. Schools, water systems, health centers, roads are being built.

All these are beginnings—little more. They reflect only dimly in the statistics of progress but they light up a hope in the *minds* of men. Tonight, however, I can tell you that we are at the end of beginnings. The Alliance of Progress has turned the corner. It is moving ahead. It is moving now on the great fundamental problems that beset Latin America and it is moving with a gathering momentum and an increasing unity of force and action.

The signs are unmistakable. Look at them as they come in to us one by one. Seven nations have already completed development plans of varying duration an absolute prerequisite to an effective program for economic salvation and an essential principle of the Alliance. The seven nations that have taken this firm step forward are Bolivia, Chile, Colombia, Mexico, Peru, Venezuela, and, the most recent, Brazil, largest country of Latin America.

President Joao Goulart has just rededicated Brazil to the principles of the Alliance, lining up his vast country behind the democratic and peaceful revolution.

As President Goulart put it: "I am sure that the 3-year plan [of Brazil] will bring about * * * new and extremely positive possibilities, together with the vitalization of the Alliance for Progress, showing the Brazilian problems in an organic form and disciplining the use of our own resources."

On the Pacific coast, Chile has enacted an agrarian reform program. A tax reform program is before the Chilean Congress. For the first time in Chilean history two tax evaders have been prosecuted and several other cases are pending.

In Venezuela, the peasants and urban workers supporting President Betancourt's democratic pro-Alliance government have risked their lives fighting Communist guerrillas.

In El Salvador, capital which was flowing out of the country for so long, has started returning to build up the economy—a sure sign of faith.

Both Colombia and Chile are on the verge of international financing programs which, we hope, will draw on European and Japanese as well as American capital, just as conceived by the Alliance.

All over Latin America patriotic and dedicated young men are rising and taking important places in the ranks of government. They are young men with democratic ideals, and they are imbued with the spirit of the Alliance. They believe that the Alliance holds the only real hope for their peoples. They believe their governments and peoples are the Alliance.

These dynamic young people who have exchanged dogmatism for pragmatism, who are looking for solutions rather than revolutions, who want to demonstrate results rather than just demonstrate—these young men are one of the most hopeful auguries for Latin America's future. They are a new and emerging element in Latin American life. They are cabinet ministers, economic planners, development leaders, businessmen and labor leaders. You find them in offices, in factories, and on the land. They want their countries to move ahead, they want to make the Alliance work, and they will not take "no" for an answer.

In recent months there has begun to develop a spirit of commitment to the Alliance on the part of each country.

Oddly enough, the Cuban crisis of last October brought that out with great clarity. Perhaps the people of the hemisphere wanted a demonstration of the resolve and the strength of the United States, and its determination to protect itself and its neighbors regardless of the sacrifice.

When the crisis over Cuba developed, the finance ministers of the Alliance countries were meeting in Mexico City to review the first year's effort and plan for the second. There were three significant results of that conference.

First, there was unanimous agreement that the course charted at Bogotá and Punta del Este was the right course and the Cuban crisis served to bring into focus the urgency of an all-out effort.

Second, there was a better understanding of the meaning of the Alliance, a recognition that it represents a radical break with the past, that it is a vast cooperative effort whose success depends primarily on the initiative of Latin America.

Third, there was clearer recognition that governments alone cannot do the job, that they need the wholehearted support of private capital and private initiative, from within and from outside.

I ask you to note that when I mention these significant and varied evidences that the Alliance is on the move, I do not talk in terms of loans or grants. I do not see the Alliance as an aid program and I never have. The Alliance is a spirit, a mystique, a marshalling of Latin American forces which the United States will help and encourage to the fullest extent, and I hope other countries will, too.

There used to be a sign in my office in Puerto Rico that read, "There is no limit to the good man can do if he doesn't care who gets the credit." The Alliance for Progress is not a credit-grabbing venture of the United States. Nor is it an effort to win love through charity—we've seen that fail before.

We are in it because it is morally right—and because it is in the best interests of this country to live in a hemisphere made up of nations that are politically independent, economically strong, and socially just.

The cost of the Alliance for Progress has been set at $100 billion in this decade. Now there are only two principal difficulties about a $100 billion project—getting the money, and spending it wisely.

By far the greater portion—four-fifths or $80 billion—must come from within Latin America. The remaining fifth, or $20 billion, must come from outside. Private enterprise in the United States is expected to invest $3 billion. Here, too, there are signs that private enterprise is ready to do so, and on a basis of enlightened social responsibility. These signs come in the wake of a sharp decline of U.S. private investment and of an increased realization in Latin America that the pendulum must swing back from hostility to hospitality for badly needed investment.

Let me quote from a recent statement of a U.S. business leader, Arnold H. Maremont. It typifies the new thinking among private investors contemplating Latin America. He said: "The fantastically high profits realized by American business abroad are a thing of the past. * * * We are going to have to be satisfied with the kind of returns that prevail in the United States. * * * We as businessmen must reconcile ourselves to the reinvestment of a substantial part of our profits in these countries. * * * We must reconcile ourselves to a new set of ground rules whereby U.S. investors don't grab for the safety valve of political protection the minute they feel insecure. We must recognize that in the era of the Alliance economic interest and political interest are no longer interwoven."

President Kennedy has pledged the United States to contribute $10 billion, one-tenth of the Alliance total, from public sources, mostly in the form of long-term development loans.

Has the U.S. Government honored its commitments so far?

The answer is "Yes." Altogether it has committed more than $1.5 billion of public funds.

Has the money been used wisely? All I can tell you is we have tried mightily to insure that. The full answer will not be known for years. The only true answer lies in the kind of change Latin America achieves, for change it must.

And yet I think there are portents of that, too, already at hand. Puerto Ricans need look only 30 miles to the west of them to see a truly outstanding example.

After 31 years of dictatorship that did its best to extinguish every tradition of the democratic process, the Dominican Republic has just changed its government in an orderly and well-conducted election.

This was peaceful transition against great odds. Yet such is the nature of news that I daresay many if not most people in the United States are barely aware of it. Suppose the Communists and Fidelistas had been successful in their repeated efforts to turn the Dominican Republic into a shambles. The headlines would have blared the news the world over and everyone would have been talking about it.

Let us not blame the press for this. The press reported the facts. The value of news derives from the direction of humanity's interests, and the negative, the destructive, the sensational, are always more interesting than the orderly march of progress. But because of this we tend to lose sight of the positive and constructive while we focus our attention on the ominous.

With that notably democratic election last month the Dominican Republic has only taken a step toward the arduous task of solving its problems. But it is an important step and it augurs well. And it exemplifies what the Alliance is trying to achieve and the way in which it is trying to achieve it, first, because it was done by the Dominicans themselves; second, because it was brought about with the cooperation and help of the Organization of American States and other inter-American agencies; third, because U.S. aid was effectively geared into the whole period of rebuilding that led up to the election, from the time of the assassination of the dictator, Trujillo.

It should be a source of enormous satisfaction to all Puerto Ricans that their own people made a substantial contribution in counsel and expertize to the tranquil transition of their Dominican neighbors. I believe an aura of lasting appreciation will surround such Puerto Rican names as Rafael Picó, Enrique Campos del Toro, Arturo Morales Carrión and Ismael Rodriguez Bou in the Dominican Republic. They, like many other Puerto Ricans, gave gladly and freely of their time and talents to help their neighbors find their way to a government of the people's free choice.

They were following in the footsteps of the man whose memory we honor tonight, Eugenio de Hostos, who almost a century ago went to the Dominican Republic as an educator dedicated to laying the groundwork for an ethical revolution.

Today, all through Latin America you will find Puerto Ricans working in the great effort of the Alliance. I wonder if you realize that in the last year the Agency for International Development alone benefited from the services of 147 Puerto Ricans. It needed them because they combined expert knowledge with fluent Spanish and experience in the same trying situations that confront other Latin Americans. I can assure you they were not engaged simply because they were Puerto Ricans. I had good reason to know personally the fact of being Puerto Rican is not necessarily an advantage in working with some of our fellow Latin Americans.

I have heard criticism of my own appointment on the rather absurd grounds that the job was important enough for a North American. That observation came from Latin Americans who did not realize that the U.S. Government considered the job important enough for a U.S. citizen with an emotional involvement in Latin America and some experience in the very problems that beset Latin America.

No thoughtful Puerto Rican—and certainly not I or the others who have been working for the Alliance—thinks that any place else in Latin America can make a carbon copy of the Puerto Rican development story. On the contrary, I am afraid our love of "patria" gives us a feeling that Puerto Rico cannot be duplicated anywhere on earth, but this of course is more a devotion to the land and to our own people.

The experience of Puerto Rico and the unfolding history of the Alliance are bound to be different and distinct. But no one can gainsay the fact Puerto Rico had to face up to many of the same vexations that many countries of Latin America are facing today. Some of our solutions, often reached by trial and error, must have potential value to people of the same origins confronted with the same problems.

Certainly our investment policy is an example of how foreign capital can be used to improve the lot of an impoverished people. The distinguished economist, K. E. Boulding, calls Puerto Rico's development the Fomentarian revolution, and one of the pillars of that revolution he describes as the skill to strike clever bargains with foreign capitalists.

"We should look carefully," he says, "at those social processes, as exemplified in Puerto Rico, that seem to make the best of both worlds, that use both government and private enterprise, both domestic reorganization and foreign investment, and that foment rather than whip."

We Puerto Ricans hold a unique status. I can understand why it would be difficult for many of our hispanic brothers to understand that we can take positions in the U.S. Government as loyal citizens of the United States who wish to serve our country just as we might have worked for our own Puerto Rican Government as patriotic Puerto Ricans wishing to serve our homeland.

There are those who would force independence on Puerto Rico in the name of freedom. But our association with the United States has enlarged our freedom, not restricted it. In creating the Commonwealth, the people of Puerto Rico rose above narrow nationalism and in approving their creation the United States showed its respect for the cultural and historical identity of a people who share with it common ideals of democracy.

The future, the security, and the freedom of Puerto Rico lie in permanent and irrevocable association with the United States. And I sincerely believe that the one way now open to us to assure that and allow Puerto Rico to develop as it must is through Commonwealth status.

The Commonwealth relationship is now 10 years old. During that experimental decade some questions about it have arisen. Fortunately, it was conceived to allow the flexibility of change. If in the light of profitable experience it can be perfected now by the common effort of the Puerto Rican people and the U.S. Congress, I think it would be a valuable asset to the United States and a matter of additional pride and security to Puerto Rico.

Again I would not hold it up as a model to be copied by others, since each country's needs are different, but I would expect it to offer a broad pattern for the future of mutual benefit in the relationships between large communities and small ones, between wealthy ones and poor ones.

Some of you here, like myself, are of fairly recent residence in the United States, but all of you are taking your places in the life of the city and the Nation. It is good that you do so, good for the United States, and good for Puerto Rico. I only wish more of us would spread out to other parts of this country.

I need not congratulate you for taking an avid interest in civic and national affairs, for your energy in conducting register and vote campaigns, for your efforts to improve housing, to inspire your children to seek higher horizons in education. These traits are natural for Puerto Ricans. I urge you to keep them up.

It has been demonstrated over and over that in the United States any people can get to the top. Believe me there is more room at the top than some of our unfortunate countrymen in the cities find in the overcrowded areas of the underprivileged. Little by little they are going to be drawn from their traditionally humble beginnings to the more rarefied atmosphere of responsibility and leadership. Those who don't make it will see to it that some of their children do. It is inevitable. It is the pattern of America.

My friends, and my fellow Puerto Rican migrants among you, I thank you, and I salute you.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. McCLORY, for 5 minutes, today.

Mr. HEMPHILL (at the request of Mr. ALBERT), for 1 hour, on Tuesday, January 22, 1963.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. ANDERSON) and to include extraneous matter:)

Mr. SCHENCK.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 31 minutes p.m.), under its previous order, the House adjourned until Monday, January 21, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

241. A letter from the Secretary of the Air Force, relative to the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of government, pursuant to section 8031(c), title 10, United States Code; to the Committee on Armed Services.

242. A letter from the Assistant Secretary of the Navy (installations and logistics), relative to a proposal by the Navy to transfer a 63-foot aircraft rescue boat (hull No. C–16494) to the Mid City Branch of the Young Women's Christian Association, Philadelphia, Pa.; to the Committee on Armed Services.

243. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill providing for the establishment of the National Capital Parks Memorial Board"; to the Committee on House Administration.

244. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

245. A letter from the Administrative Assistant Secretary of the Interior, transmitting a report on the progress that has been made in carrying out the helium program, pursuant to Public Law 86–777; to the Committee on Interior and Insular Affairs.

246. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend the Federal Aviation Act of 1958 so as to authorize the Civil Aeronautics Board to regulate the depreciation accounting of air carriers"; to the Committee on Interstate and Foreign Commerce.

247. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend section 407(e) of the Federal Aviation Act of 1958 to clarify the authority of the Civil Aeronautics Board to examine the books and records of persons controlled by, or under common control with, an air carrier, or of service organizations controlled by groups of air carriers, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

248. A letter from the Comptroller General of the United States, transmitting a report concerning the claim of Ronnie E. Hunter against the United States, pursuant to the act of April 10, 1928, ch. 334, 45 Stat. 413, 31 U.S.C. 236; to the Committee on the Judiciary.

249. A letter from the Administrator, General Services Administration, transmitting a draft of a proposed bill entitled "A bill to amend further section 11 of the Federal Register Act (44 U.S.C. 311)"; to the Committee on the Judiciary.

250. A letter from the Assistant to the Governor, Canal Zone Government, transmitting a draft of a proposed bill entitled "A bill to expand the authority of the Canal Zone Government to settle claims not cognizable under the Tort Claims Act"; to the Committee on Merchant Marine and Fisheries.

251. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 328, 383); to the Committee on Science and Astronautics.

252. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

253. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report to the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the act of July 21, 1961 (75 Stat. 216, 217); to the Committee on Science and Astronautics.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAKER:

H.R. 2328. A bill to authorize the Atomic Energy Commission to construct a modern administration and office building at Oak Ridge, Tenn.; to the Joint Committee on Atomic Energy.

By Mr. BECKWORTH:

H.R. 2329. A bill to amend the Internal Revenue Code of 1954 to provide that interest on series E U.S. savings bonds shall be excluded from gross income; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 2330. A bill to amend the Tariff Act of 1930 to provide, as a substitute for the existing requirement of production before 1830, that antiques may be imported free of duty if they exceed 100 years of age at the time of importation; to the Committee on Ways and Means.

By Mr. CASEY:

H.R. 2331. A bill to amend the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. DENTON:

H.R. 2332. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I and their widows and dependents; to the Committee on Veterans' Affairs.

By Mr. GATHINGS:

H.R. 2333. A bill to permit the exchange between farms of cotton acreage allotments for rice acreage allotments; to the Committee on Agriculture.

By Mr. GONZALEZ:

H.R. 2334. A bill to provide that any civilian agency which contemplates moving or closing any of its installations shall notify the Members of Congress concerned and shall afford an opportunity for public hearings with respect to such contemplated action; to the Committee on Public Works.

By Mr. GRAY:

H.R. 2335. A bill to amend the Standard Time Act of March 19, 1918, so as to provide that the standard time established thereunder shall be the measure of time for all purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 2336. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

By Mr. HARDING:

H.R. 2337. A bill to provide for the construction of the Lower Teton division of the Teton Basin Federal reclamation project, Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HARRISON:

H.R. 2338. A bill to amend section 35 of the Mineral Leasing Act of 1920 with respect to the disposition of the proceeds of sales, bonuses, royalties, and rentals under such act; to the Committee on Interior and Insular Affairs.

By Mr. JONAS:

H.R. 2339. A bill to provide for import fees on cotton products during periods the United States is subsidizing the export of cotton; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 2340. A bill to amend the provisions of law relating to the prevention of pernicious political activities (the Hatch Political Activities Act) to make them inapplicable to State and municipal officers and employees, to permit limited partisan political activities by Federal officers and employees in certain designated localities, and for other purposes; to the Committee on House Administration.

H.R. 2341. A bill to revise the effective dates of certain increases in compensation granted to employees of the Government Printing Office, and for other purposes; to the Committee on House Administration.

H.R. 2342. A bill to authorize the withholding for the pay of civilian employees of the United States the dues for membership to certain employee organizations; to the Committee on Post Office and Civil Service.

H.R. 2343. A bill to amend the Civil Service Retirement Act, as amended, to provide that accumulated sick leave be credited to the retirement fund or that the individual be reimbursed; to the Committee on Post Office and Civil Service.

H.R. 2344. A bill to amend the Civil Service Act of January 16, 1883, to eliminate the provisions of section 9 thereof concerning two or more members of a family in the competitive civil service; to the Committee on Post Office and Civil Service.

H.R. 2345. A bill to amend the Civil Service Retirement Act to authorize retirement with reduced annuity of employee attaining the age of 55 years and completing 25 years of service; to the Committee on Post Office and Civil Service.

By Mr. MONTOYA:

H.R. 2346. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of chiropractors; to the Committee on Education and Labor.

H.R. 2347. A bill to increase from $600 to $1,000 the personal income tax exemption of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age and blindness); to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 2348. A bill to amend chapter 119 of title 28, United States Code, to provide that clergymen shall not be competent to testify with respect to certain communications; to the Committee on the Judiciary.

H.R. 2349. A bill to amend section 1498 of title 28, United States Code, to permit patent holders to bring civil actions against Government contractors who infringe their patents while carrying out Government contracts; to the Committee on the Judiciary.

H.R. 2350. A bill to amend the Tariff Act of 1930 to provide that any article of medical equipment or machinery imported by a State or its political subdivision for certain purposes shall be free of duty; to the Committee on Ways and Means.

By Mr. SELDEN:

H.R. 2351. A bill to amend section 332 of title 10 of the United States Code to limit the use of the Armed Forces to enforce Federal laws or the orders of Federal courts; to the Committee on Armed Services.

H.R. 2352. A bill to amend title 10 of the United States Code to prohibit the calling of the National Guard into Federal service except in time of war or invasion or upon the request of a State; to the Committee on Armed Services.

By Mr. WHITTEN:

H.R. 2353. A bill to amend title 23 of the United States Code to increase the total mileage of the National System of Interstate and Defense Highways; to the Committee on Public Works.

H.R. 2354. A bill to provide for determination through judicial proceedings of claims for compensation on account of disability or death resulting from disease or injury incurred or aggravated in line of duty while serving in the active military or naval service, including those who served during peacetime, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2355. A bill to provide a 1-year period during which certain veterans may be granted national service life insurance; to the Committee on Veterans' Affairs.

H.R. 2356. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other educational expenses paid by him, whether for his own education or for the education of his spouse or a dependent or any other individual; to the Committee on Ways and Means.

H.R. 2357. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

H.R. 2358. A bill to repeal the excise tax on amounts paid for communication services or facilities; to the Committee on Ways and Means.

By Mr. KYL:

H.J. Res. 157. Joint resolution to enable the District of Columbia government to aid the arts in ways similar to those in which the arts are aided financially by other cities of the United States by providing funds for special concerts for children and others, by aiding in the establishment of a permanent children's theater, and by providing a municipal theater for competitions to discover and encourage young Americans in the pursuit of excellence and to acquaint them with the best of our national cultural heritage; to the Committee on the District of Columbia.

By Mr. WHITTEN:

H.J. Res. 158. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

H.J. Res. 159. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public schools and other public places; to the Committee on the Judiciary.

H.J. Res. 160. Joint resolution providing that the United States shall not participate in any civil action except as a party to such civil action; to the Committee on the Judiciary.

H.J. Res. 161. Joint resolution proposing an amendment to the Constitution relating to the terms of office of judges of the Supreme Court of the United States and inferior courts; to the Committee on the Judiciary.

H.J. Res. 162. Joint resolution to restore to the States certain rights affected by recent Supreme Court decisions; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H. Con. Res. 48. Concurrent resolution expressing the sense of Congress with respect to a program for paying the national debt; to the Committee on Ways and Means.

By Mr. CHAMBERLAIN:

H. Res. 149. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. GROSS:

H. Res. 150. Resolution amending clause 2 subsection a of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. MURRAY:

H. Res. 151. Resolution to authorize the Committee on Post Office and Civil Service to conduct investigations and studies with respect to certain matters within its jurisdiction; to the Committee on Rules.

H. Res. 152. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 151; to the Committee on House Administration.

By Mr. RAINS:

H. Res. 153. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations and make inquiries relating to housing; to the Committee on Rules.

By Mr. THOMSON of Wisconsin:

H. Res. 154. Resolution amending clause 2 subsection a of rule XI and clause 4 of rule XXI of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BECKER:

H.R. 2359. A bill for the relief of Demetrios Hasapoglou; to the Committee on the Judiciary.

By Mr. BRAY:

H.R. 2360. A bill for the relief of Alban H. Lalonde; to the Committee on the Judiciary.

H.R. 2361. A bill for the relief of Yvany Basso Eckley; to the Committee on the Judiciary.

H.R. 2362. A bill for the relief of Maria Nilda Jordao Cann; to the Committee on the Judiciary.

H.R. 2363. A bill for the relief of Ines Maria Foncesa Litto; to the Committee on the Judiciary.

H.R. 2364. A bill for the relief of the Clay County Hospital, Brazil, Ind.; to the Committee on the Judiciary.

By Mr. BURKE:

H.R. 2365. A bill for the relief of Kent Sujo; to the Committee on the Judiciary.

H.R. 2366. A bill for the relief of Suen Yun; to the Committee on the Judiciary.

H.R. 2367. A bill for the relief of Chan Sze Yuen; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 2368. A bill for the relief of Ita Zwibel; to the Committee on the Judiciary.

H.R. 2369. A bill for the relief of Rufina Juan Escudero; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 2370. A bill for the relief of Angelo Adragna; to the Committee on the Judiciary.

H.R. 2371. A bill for the relief of Nicolo Adragna; to the Committee on the Judiciary.

H.R. 2372. A bill for the relief of Dr. Jose Felix Garcia; to the Committee on the Judiciary.

H.R. 2373. A bill for the relief of Domenico Monetta; to the Committee on the Judiciary.

H.R. 2374. A bill for the relief of Pietro Maniciotti; to the Committee on the Judiciary.

H.R. 2375. A bill for the relief of Achilefs Zavitsanos; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 2376. A bill for the relief of Toon-Ming Wong, also known as Hoi-On Tom; to the Committee on the Judiciary.

By Mr. SELDEN:

H.R. 2377. A bill for the relief of Christine Kligge; to the Committee on the Judiciary.

By Mr. TOLL:

H.R. 2378. A bill for the relief of B. Matusow & Son; to the Committee on the Judiciary.

By Mr. WHARTON:

H.R. 2379. A bill for the relief of Masako Ohara; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

19. Mr. NORBLAD presented a petition of Tom Swaja, and others, Portland, Oreg., requesting the Congress of the United States to preserve the Monroe Doctrine; which was referred to the Committee on Foreign Affairs.

SENATE

FRIDAY, JANUARY 18, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 12 o'clock meridian on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, spirit of light and truth, of beauty and freedom, bestow unto us, we pray, Thy sustaining grace, that our strength fail not, nor the vision splendid fade in the heat and burden of the day.

Grant us the grace of toiling in these fields of time in the sense of the eternal. In work that keeps faith sweet and strong, Thou callest us to be fellow laborers with Thee. We bring our stained lives to the holiness that shames our uncleanness, to the love that forgives our iniquities, to the truth that reveals our falseness, to the patience that outlasts our fickleness.

In the fret and jar of these difficult days, make us thoughtful one with another, remembering that each comrade by our side fights a hard fight and walks a lonely way. Teach us a gentler tone, a sweeter charity of words, and a more healing touch for all the smart of this wounded world. Grant us inner greatness of spirit and clearness of vision to meet and match the vast designs of this glorious and challenging day, that we may keep step with the drumbeat of Thy purpose which is marching on.

In the dear Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 17, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

DISTRICT OF COLUMBIA BUDGET, 1964—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 15, PT. 2)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, transmitting the District of Columbia Budget, 1964; which, with the accompanying document, was referred to the Committee on Appropriations.

(For messages from the President, see House proceedings of today.)

REPORT OF CIVIL SERVICE COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 13)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

I transmit herewith the annual report of the U.S. Civil Service Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 18, 1963.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

NOMINATION OF JOHN GREEN TO BE COLLECTOR OF CUSTOMS—MEMORIAL

As in executive session,

The VICE PRESIDENT laid before the Senate a telegram in the nature of a memorial, signed by John Wick, of Duluth, Minn., remonstrating against the confirmation of the nomination of John Green to be collector of customs, which was referred to the Committee on Finance.

RESOLUTION OF KANSAS STATE FEDERATION OF LABOR

Mr. CARLSON. Mr. President, at its fifth annual convention, the Kansas State Federation of Labor, AFL–CIO, adopted a resolution relative to use of prison-made goods and services by Federal, State, county, city, or municipal governments.

I ask unanimous consent that this resolution be made a part of these remarks and referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on

the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION 5

SUBJECT: PRISON-MADE GOODS, SIGNS, MARKERS, AND SERVICES. THEIR USE, PURCHASE, OR INSTALLATION BY FEDERAL, STATE, COUNTY, CITY, OR MUNICIPAL GOVERNMENTS

"Whereas the United States of America is spending billions of dollars in foreign aid; and

"Whereas the purpose of such expenditures are in part to emphasize the advantages of a free enterprise and free labor economy system; and

"Whereas the purchase of such named goods and services by the Federal Government or any contractor doing work financed in whole or in part by Federal moneys or by any State, county, city, or municipality thereof; or by any contractor doing work financed in whole or in part by State, county, city, or municipality moneys results in a segment of American economy supporting free labor being in competition with slave labor and tends to add to the already serious extent of unemployment and places the American system in the ridiculous and hypocritical position of advocating the blessings of free labor while patronizing slave labor which is a morally untenable position: Therefore be it

"Resolved, That the Kansas State Federation of Labor, AFL–CIO, in assembly at Hutchinson, Kans., October 25, 26, 27, 1962, go on record as being unalterably opposed to the purchase, use, or installation of prison-made signs, markers, goods, or services being utilized any place by the State, county, city, or municipal governments, except within the confines of such prison or institution housing such prisoners; be it further

"Resolved, That the State Federation of Labor through its legislative committee, strongly urge the passage of State laws prohibiting the purchase, use, or installation of such prison-made goods or services except as outlined before; by the State or any county, city, or municipal government thereof; or by any contractor doing work financed in whole or in part by moneys derived from any of the aforementioned political subdivisions; and be it further

"Resolved, That the State Federation of Labor through its duly elected officers, contact each Member of the U.S. Congress elected from the State of Kansas, and urge that each Senator and each Representative work toward the passage of Federal laws prohibiting the purchase, use, or installation of such prison-made signs, markers, goods, or services by any contractor doing work financed in whole or in part with Federal moneys or by any branch of the Federal Government except those serving to house Federal prisoners."

Approved at the regular meeting of Painters District Council No. 3, October 4, 1962.

JAMES B. COX,
Secretary-Treasurer.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 296. A bill for the relief of Anne Marie Kee Tham; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. HUMPHREY, Mr. MORSE, Mr. BIBLE, Mr. RANDOLPH, Mr. ENGLE, Mr. BARTLETT, Mr. WILLIAMS of New Jersey, Mr. MOSS, Mr. SALTONSTALL, Mr. JAVITS, Mr. COOPER, Mr. PROUTY, and Mr. COTTON):

S. 297. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies; to the Committee on Finance.

S. 298. A bill to amend the Small Business Investment Act of 1958; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above bills, which appear under a separate heading.)

By Mr. ROBERTSON:

S. 299. A bill to amend section 1391 of title 28 of the United States Code, relating to venue generally; to the Committee on the Judiciary.

(See the remarks of Mr. ROBERTSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HICKENLOOPER:

S. 300. A bill for the relief of Itrat-Husain Zuberi, his wife, Saida Zuberi, and their children, Mobina Zuberi, Jawaid Zuberi, and Nayab Zuberi;

S. 301. A bill for the relief of Norma T. Sadumiano;

S. 302. A bill for the relief of Elena A. Basco; and

S. 303. A bill for the relief of Alicia A. Basco; to the Committee on the Judiciary.

By Mr. MILLER:

S. 304. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

(See the remarks of Mr. MILLER when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 305 A bill amending title I of the Social Security Act so as to require that, in the administration of State programs for medical assistance for the aged established pursuant to such title, a statement of a claimant for assistance under any such program with regard to his financial status shall, if made under oath, be regarded as factually correct for purposes of determining his eligibility for assistance under such programs; and

S. 306. A bill to amend title II of the Social Security Act to increase to $1,800 the annual amount individuals are permitted to earn while receiving benefits under such title; to the Committee on Finance.

S. 307. A bill to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency and to authorize their protection by the Secret Service.

S. 308. A bill for the relief of the estate of Walter Clark;

S. 309. A bill for the relief of Lt. Col. Henry H. Allport, Army of the United States, retired;

S. 310. A bill for the relief of Kaino Hely Auzis;

S. 311. A bill for the relief of Sonja Lynn Newman;

S. 312. A bill for the relief of Danusia Radochonski;

S. 313. A bill for the relief of Evanthia Talidis; and

S. 314. A bill for the incorporation of the Merchant Marine War Veterans Association; to the Committee on the Judiciary.

S. 315. A bill to amend the National Cultural Center Act, as amended, to enlarge the site within which the National Cultural Center may be built; to the Committee on Public Works.

By Mr. DIRKSEN (for himself and Mr. CARLSON):

S. 316. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income gain realized from the sale of his principal residence by a taxpayer who has attained the age of 60 years; to the Committee on Finance.

By Mr. KEATING (for himself and Mr. JAVITS):

S. 317. A bill to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. KEATING (for himself and Mr. HRUSKA):

S. 318. A bill to provide that each member of the bar of the highest court of a State or of a Federal court shall be entitled to practice before administrative agencies of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 319. A bill to provide for the establishment of the Geographic Center of the North American Continent National Monument; to the Committee on Interior and Insular Affairs.

S. 320. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon claims of customs officers and employees to extra compensation for Sunday, holiday, and overtime services performed after August 31, 1931, and not heretofore paid in accordance with existing law;

S. 321. A bill for the relief of Dr. Fang Luke Chiu; and

S. 322. A bill for the relief of Markos J. Janavaras; to the Committee on the Judiciary.

S. 323. A bill to provide for retroactive payment of annuities payable under the Civil Service Retirement Act to the survivors of Members of Congress who died between February 29, 1948, and March 5, 1954; to the Committee on Post Office and Civil Service.

By Mr. EASTLAND:

S. 324. A bill for the relief of Constantinos Pavlou; and

S. 325. A bill for the relief of Nikolaos Ilias Petrantis; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 326. A bill for the relief of Miloye M. Sokitch; and

S. 327. A bill for the relief of Jessie V. Robertson; to the Committee on the Judiciary.

By Mr. JACKSON (for himself and Mr. MAGNUSON):

S. 328. A bill for the relief of Vernon E. Linth; to the Committee on the Judiciary.

By Mr. CANNON:

S. 329. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 330. A bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphan's educational assistance program shall be by State approving agencies; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH (for himself, Mr. HILL, Mr. MORSE, Mr. BURDICK, Mr. WILLIAMS of New Jersey, and Mr. PELL):

S. 331. A bill to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE:

S. 332. A bill to prohibit trading in Irish potato futures on commodity exchanges; to the Committee on Banking and Currency.

By Mr. MOSS:

S. 333. A bill to amend the Colorado River Storage Project Act with respect to the protection of national parks and monuments under the provisions of such act; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill which appear under a separate heading.)

By Mr. HUMPHREY:

S. 334. A bill for the relief of Glenwood Hills Hospital;

S. 335. A bill for the relief of Dr. Manuel S. Lina and Dr. Constancia L. Ortega Lina;

S. 336. A bill for the relief of Dr. Mustaffa Muharrem Aksoy;

S. 337. A bill for the relief of Dr. Shaoul G. S. Shashoua;

S. 338. A bill for the relief of Chue Yung Chul;

S. 339. A bill for the relief of James Christian Braut; and

S. 340. A bill for the relief of John Fetiou Leckas; to the Committee on the Judiciary.

By Mr. FONG:

S. 341. A bill to provide a method for regulating and fixing wage rates for employees of Pearl Harbor Naval Shipyard in Hawaii; to the Committee on Armed Services.

S. 342. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare.

By Mr. FONG (for himself and Mr. INOUYE):

S. 343. A bill to authorize the Secretary of Agriculture to provide for a program of research for coffee produced in the State of Hawaii; to the Committee on Agriculture and Forestry.

S. 344. A bill to amend the Internal Revenue Code of 1954 to permit an individual who leases land on which a residence owned by him is situated to deduct real property taxes paid by him which are assessed against such land; to the Committee on Finance.

S. 345. A bill to provide for the approval of a payment in lieu of taxes to be made for the fiscal year ended June 30, 1959, by the Hawaii Housing Authority to the city and county of Honolulu; to the Committee on Government Operations.

By Mr. CANNON (for himself and Mr. BIBLE):

S. 346. A bill to provide for the conveyance of certain lands to the city of Henderson, Nev.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CANNON when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

ACCEPTANCE OF STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA, AND TENDERING THANKS OF CONGRESS THEREFOR

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 6); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the statue of the late John Burke, presented by the State of North Dakota, now in the Capitol Building, is accepted in the name of the United States, and that the thanks of Congress be tendered to the State for the contribution of the statue of one of its most eminent citizens, illustrious for his historic renown and distinguished civic services.

Resolved, That a copy of these resolutions, suitably engrossed and duly authenticated, be transmitted to the Governor of North Dakota.

PLACEMENT IN ROTUNDA A STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA, AND THE HOLDING OF CEREMONIES INCIDENT THERETO

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 7); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the North Dakota National Statuary Hall Commission is hereby authorized to place temporarily in the rotunda of the Capitol a statue of the late John Burke, of North Dakota, and to hold ceremonies in the rotunda on said occasion; and the Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

TO PRINT AS A SENATE DOCUMENT THE PROCEEDINGS IN CONNECTION WITH ACCEPTANCE OF STATUE OF THE LATE JOHN BURKE, OF NORTH DAKOTA

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) submitted the following concurrent resolution (S. Con. Res. 8); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That the proceedings at the presentation, dedication, and acceptance of the statue of John Burke, to be presented by the State of North Dakota in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such Senate document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. There shall be printed five thousand additional copies of such Senate document, which shall be bound in such style as the Joint Committee on Printing shall direct, and of which one hundred copies shall be for the use of the Senate and one thousand six hundred copies shall be for the use of the Members of the Senate from the State of North Dakota, and five hundred copies shall be for the use of the House of Representatives and two thousand eight hundred copies shall be for the use of the Members of the House of Representatives from the State of North Dakota.

RESOLUTION

CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON (for himself, Mr. KEATING, and Mr. RANDOLPH) submitted a resolution (S. Res. 48) creating a standing Committee on Veterans' Affairs, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. CANNON, which appears under a separate heading.)

STUDY OF AMERICAN SMALL AND INDEPENDENT BUSINESS PROBLEMS

Mr. SPARKMAN (for himself and Mr. SALTONSTALL) submitted the following resolution (S. Res. 49); which was referred to the Committee on Rules and Administration:

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, and S. Res. 272, Eighty-first Congress, agreed to May 26, 1950, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1963, to January 31, 1964, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1964.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $135,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PROPOSED LEGISLATION RELATING TO SMALL BUSINESS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, two bills affecting small business investment companies. My first bill relates to the income tax treatment of these companies. I ask unanimous consent that following my remarks the text of this bill be printed in the RECORD together with an analysis of the bill which I have prepared.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 297) to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of small business investment companies, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. SPARKMAN. My second bill amends the Small Business Investment Act of 1958. I ask unanimous consent that following my remarks the text of this bill also be printed in the RECORD together with an analysis of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the RECORD.

The bill (S. 298) to amend the Small Business Investment Act of 1958, introduced by Mr. SPARKMAN (for himself and

other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD.

(See exhibit 2.)

Mr. SPARKMAN. Joining me as cosponsor of each of these bills are Senators HUMPHREY, SMATHERS, MORSE, BIBLE, RANDOLPH, ENGLE, BARTLETT, WILLIAMS of New Jersey, MOSS, SALTONSTALL, JAVITS, COOPER, SCOTT, PROUTY and COTTON.

Mr. President, I believe that the merit of the legislation proposed by these bills is certainly indicated by the fact of its near-unanimous sponsorship by the members of the Select Committee on Small Business.

The Small Business Committee recognized last year the need for taking a close look at the small business investment company program. We undertook a study of the industry which included a number of public hearings as well as gathering detailed information from the individual companies by means of a questionnaire. The two bills which I have introduced are an outgrowth of our study. It is our firm conviction that the proposals made in these bills are justified by the facts as they presently exist within the small business investment company industry and within the small business community. Let us look at some of these facts.

On March 19, 1959, the first 2 small business investment companies were licensed; 3 years later, on March 19, 1962, there were 517 small business investment companies licensed to do business; today there are over 600. The first two licensees brought $650,000 into the program; today, there is over $600 million committed to the small business investment companies—the overwhelming majority of its dollars invested by private citizens.

Back in 1958, we believed that most of the companies would call upon the Government for half of their capital, but that has not been the case. At the present time, there are 7 private dollars in the program for every $1 committed by the Small Business Administration. The bills which I have introduced would stimulate even greater participation by private capital and private credit in this program.

The record shows that much of the money now invested in small business investment companies is already in use, since more than $200 million has been invested in and loaned to small business enterprises in the 3 years from the granting of the first licenses through March 31, 1962.

I believe that I can say without contradiction, then, that substantial progress has already occurred in transforming small business investment companies from a legislative dream to an operating reality. I have personally been proud of the growth of the program and the contribution it has made to our national economy through its timely aid to growing independent businesses.

But now I turn to the large dark cloud which some observers see hovering over the small business investment companies. A number of financial writers have concluded that these are "shaky small business investment companies," as the Wall Street Journal headlined its story on July 16, 1962. I quote from the article:

> The risky business of providing risk capital for small businesses unable to raise money through more conventional sources is proving to have more hazards than many small business investment companies bargained for. These new lending institutions, brought into being by an act of Congress only 4 years ago, were given special tax treatment and the privilege of borrowing on reasonable terms from the Government. Nevertheless, they are beset these days with a host of troubles stemming from the declining stock market, touchy relationships with their customers, a snarl of Government red-tape, occasional bad investments, and some miscalculations about the nature of this fledgling financial field.

It is quite true that despite some improvement within the last week or so, the quotations from the stock of the 48 small business investment companies which have raised capital through public offerings have declined precipitously during the past 12 months. One private market service publishes an index of small business investment companies stock prices; on June 30, 1961, the index stood at $18.27. By November 30, 1962, it had tobogganed to $6.90. Naturally, this leads to serious questions about the health of the program.

During the past year, several of the larger small business investment companies have sustained sizable losses on investments they have made, and several others have stated that they fear such losses in the near future. Here again is a bearish factor depressing the small business investment companies' outlook. One of the bills I have introduced would provide for statutory loss and bad debt reserves for small business investment companies—something which is vitally needed by the industry.

One of the larger small business investment companies which raised $15 million through a public stock offering has left the small business investment company field and become a conventional investment company. This development, too, has served as a basis for gloomy predictions about the future of the industry.

It is also true, as the Wall Street Journal stated, that the organizers of other small business investment companies have found themselves without the time or the skills to operate profitably; a few of them have surrendered their licenses and others are not in active operation.

Finally, some members of the industry have found it difficult to understand the actions of those administering the program for the SBA; there have been some differences of opinion and some misunderstandings.

These, then, are five factors which lead to pessimism—which, for some observers, overshadow the bare facts of progress which I cited earlier.

Is there any way to analyze the present situation? Has the period of achievement passed, to be succeeded by a rapid decline into oblivion? Were we wrong when we conceived this program? Were the investors and managers wrong when they financed it?

Obviously, there are no easy answers, but I do believe that solid facts can be found which we can utilize in our study. None of them alone is conclusive; all of them together may not be conclusive, as a matter of fact. Nonetheless, I believe strongly that a sound reply should be made to the Cassandras whose dire prophesies are based upon a superficial analysis of scattered readings.

In the first place, I believe that the strongest possible answer to those who would bury the program can be found in the continuing and accelerating pace of small business investment company activity. Those small business investment companies which have been in the program the longest are, by and large, those who are most convinced of its essential soundness. Both of the first two licensees have greatly increased their initial capital—and both are now seeking additional funds. These are only two examples. Forty-eight of the more than six hundred small business investment companies have been able to sell their stock to the public; an additional 77 have increased their capacity to invest in small businesses by raising extra capital privately. Since the passage of the 1961 amendments to the Small Business Investment Act, 46 small business investment companies have raised their private capitalization and have asked Small Business Administration to purchase subordinated debentures.

This seems to me to be unanswerable evidence—this show of faith in the program backed by private dollars committed by individuals who have actually owned and managed small business investment companies for a period of time. If it is true that the program is shaky, I doubt very much that these practical businessmen-investors would choose small business investment companies over all the alternate forms of investment opportunities.

In addition to the fact that more dollars are being invested in small business investment companies, I would cite proof that more dollars are being invested in small businesses by the present small business investment companies. SBA reports show that over $200 million had been loaned to or invested in small businesses by March 31, 1962. This contrasts with the $79,500,000 of 1 year earlier and the $152,200,000 figure reported on September 30, 1961. Thus, it is apparent that the managers of the small business investment companies are not sitting on their hands content with investing their idle funds in Government bonds. As a matter of fact, all available evidence indicates that the pace of placing small business investment company dollars to work for small business firms has accelerated in the weeks since March 31.

Therefore, two concrete proofs can be demonstrated: first, small business investment companies are raising more dollars, and, second, small business investment companies are investing more dollars in eligible business enterprises.

Perhaps the most difficult feature of the entire small business investment company operation is the appraisal of the present and potential value of a small business. This is true at the time the business applies for financial assistance; it remains true after the firms receive

small business investment company help. For that reason, my next point is not capable of definite proof.

Nonetheless, I believe on the strength of the study of the Senate Small Business Committee and on the basis of other independent analyses, that the small business investment companies have made sound investments. Although there have been a few well-publicized losses, the bulk of the small business investment company portfolios appear sound. The public companies list their investments in their annual reports and it appears that most of their client companies have made progress with the help of small business investment company funds and show promise of further substantial growth.

In addition, our committee heard from the presidents of many small business investment companies during our field hearings last spring. All of them testified that they felt that most of their investments were working out and that they expected some of them to be exceptionally successful. This, of course, is the pattern we expected, for no one ever believed that every small business would suddenly become a Ford Motor Co. or an IBM as soon as it received small business investment company funds.

The printed record of the committee's hearings is replete with case studies showing the value of small business investment company financing to dozens of individual small firms.

This, then, seems to be a third strong plank underpinning the small business investment company program; namely, the worth of the small businesses to whom the investment companies have advanced funds.

A fourth factor of strength is the growing rapport between the industry and its regulator, the Small Business Administration. Congress has directed the SBA to license small business investment companies and to regulate their operations. Naturally, during the early months of the program, there were misunderstandings and areas of friction, as both the operators and the regulators tried to learn how to make this new machine work. Now, after 4 years, much of the pioneering and the educating has taken place and the small business investment companies now realize that they must operate completely within the framework of an industry affected with a public interest, while the Investment Division of SBA has learned that small business investment companies are essential elements of the free enterprise system which must make a profit—or at least, have the chance to make a profit—if they are to survive. The ground rules have been established; many of those who had no concept of how the small business investment companies should operate are gone; and the SBA and the industry are working closely together on all remaining problems.

Mr. President, as I have said many times, I am confident that this program will continue to succeed. It must if the capital requirements of the American independent businessman are to be met. The surface has only been scratched; small business has legitimate need for hundreds of millions of dollars every year for capital. In 1957, the Federal Reserve Board estimated the equity needs of small business to be about $550 million annually. The program now has sufficient funds to take care of just 1 year's minimum requirement. Therefore, there will have to be a fivefold increase merely to fulfill the 1957 estimate.

As the business and financing community become better acquainted with the small business investment company program; as the Congress continues to support its legitimate requirements through passage of legislation such as I have proposed today; as the SBA works in close harmony with the industry, existing and future small business investment companies will continue to grow and to prosper.

And through the assistance they receive from small business investment companies, tens of thousands of independent small businesses will be able to make their individual contributions to a vigorous, competitive, and growing American economy.

EXHIBIT 1

S. 297

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 165 of the Internal Revenue Code of 1954 (relating to deduction for losses) is amended by redesignating subsection (i) as subsection (j), and by inserting after subsection (h) the following new subsection:

"(i) SMALL BUSINESS INVESTMENT COMPANIES.—

"(1) RESERVE FOR LOSSES ON CERTAIN INVESTMENTS.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, there shall be allowed, in lieu of any deduction under subsection (a) for any loss sustained on any investment described in section 1243(a)(1), a deduction for a reasonable addition to a reserve for losses on such investments.

"(2) AMOUNT OF ADDITION TO RESERVE.—The reasonable addition to a reserve for losses under paragraph (1) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this paragraph shall not be greater than the lesser of—

"(A) the amount of its taxable income for the taxable year, computed without regard to this section, or

"(B) the amount by which 20 percent of the taxpayer's total investments described in section 1243(a)(1), at the close of the taxable year with respect to which this section applies, exceeds its reserve for losses on such investments at the beginning of the taxable year."

SEC. 2. (a) Section 166 of the Internal Revenue Code of 1954 (relating to deduction for bad debts) is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following new subsection:

"(g) SMALL BUSINESS INVESTMENT COMPANIES.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, the reasonable addition to a reserve for bad debts under subsection (c) for any taxable year shall in no case be less than the amount determined by the taxpayer as the reasonable addition for such year; except that the amount determined by the taxpayer under this subsection shall not be greater than the lesser of—

"(1) the amount of its taxable income for the taxable year, computed without regard to this section or,

"(2) the amount by which 20 percent of the taxpayer's total loans to small business concerns, at the close of the taxable year with respect to which this section applies, exceeds its reserves for bad debts at the beginning of the taxable year."

SEC. 3. Section 532(b) of the Internal Revenue Code of 1954 (relating to exemptions from accumulated earnings tax) is amended—

(1) by striking out "or" at the end of paragraph (2);

(2) by striking out the period at the end of paragraph (3) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (3) the following new paragraph:

"(4) a small business investment company operating under the Small Business Investment Act of 1958."

SEC. 4. (a) Section 542(c)(11) of the Internal Revenue Code of 1954 (relating to exception of small business investment companies from definition of personal holding company) is amended to read as follows:

"(11) a small business investment company which is licensed by the Small Business Administration and operating under the Small Business Investment Act of 1958 and which is actively engaged in the business of providing funds to small business concerns under that Act in accordance with regulations prescribed by the Small Business Administration pursuant thereto. This paragraph shall not apply if any shareholder of the small business investment company owning, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), 10 percent or more of the outstanding stock of such small business investment company owns at any time during the taxable year, directly or indirectly (including, in the case of an individual, ownership by the members of his family as defined in section 544(a)(2)), a 10 percent or more proprietary interest in a small business concern to which funds are provided by the small business investment company or 10 percent or more in the value of the outstanding stock of such concern. For purposes of the preceding sentence, a shareholder of a small business investment company shall not be considered as owning any proprietary interest in or stock of a small business concern solely by reason of his ownership directly or indirectly of stock of such small business investment company.

SEC. 5. (a) Section 851(a) of the Internal Revenue Code of 1954 (relating to general rule for definition of regulated investment company) is amended—

(1) by striking out "or" at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof ", or"; and

(3) by adding after paragraph (2) the following new paragraph:

"(3) which, at all times during the taxable year, is a small business investment company operating under the Small Business Investment Act of 1958 (whether or not registered under the Investment Company Act of 1940, as amended)."

(b) Section 851(b) of such Code (relating to limitations on definition of regulated investment company) is amended by adding at the end thereof the following new sentence: "Paragraph (2), (3), and (4) shall not apply to any corporation which is a small business investment company operating under the Small Business Investment Act of 1958, whether or not such company is registered under the Investment Company Act of 1940, as amended."

SEC. 6. (a) Section 1243 of the Internal Revenue Code of 1954 (relating to losses of

small business investment companies) is amended to read as follows:

"SEC. 1243. LOSS OF SMALL BUSINESS INVESTMENT COMPANY.

"(a) GENERAL RULE.—In the case of a small business investment company operating under the Small Business Investment Act of 1958, if—

"(1) a loss is on equity securities (including stock received pursuant to an option or conversion or exchange privilege) acquired pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section, and

"(2) such loss would (but for this section) be a loss from the sale or exchange of a capital asset, then such loss shall be treated as a loss from the sale or exchange of property which is not a capital asset.

"(b) SPECIAL RULE FOR DETERMINING AMOUNT OF LOSS ON STOCK.—Under regulations prescribed by the Secretary or his delegate, for purposes of determining the amount of loss (if any) from the sale or exchange by small business investment company of stock acquired by such company pursuant to section 304 of the Small Business Investment Act of 1958, as amended, and in accordance with regulations of the Small Business Administration prescribed under such section (including stock received pursuant to an option or conversion or exchange privilege), the basis of such stock shall be reduced (but not below zero) by an amount equal to the amount of any distribution received by such company with respect to such stock on or after the date of the enactment of this subsection, to the extent that any such distribution is made by the distributing corporation out of its earnings and profits accumulated prior to the date of the acquisition of such stock by such company.

"(c) DEFINITION OF 'EQUITY SECURITIES'.—For the purposes of this section, the term 'equity securities' means—

"(1) Stock of any class or type; or

"(2) Convertible debentures which are convertible into stock of incorporated small business concerns; or

"(3) Any right or warrant issued and/or acquired in connection with the purchase of any stock, convertible debenture, or debt instrument under section 305 of the Small Business Investment Act of 1958, as amended, which right or warrant provides the holder thereof with an option to purchase a specified maximum number of shares of stock of the issuer; or

"(4) Any combination of the foregoing."

SEC. 7. Section 1371(a)(2) of the Internal Revenue Code of 1954 (relating to definition of small business corporation) is amended to read as follows:

"(2) have as a shareholder a person (other than an estate or a small business investment company operating under the Small Business Investment Act of 1958) who is not an individual;".

SEC. 8. The amendments made by sections 1 and 2 of this Act shall apply to taxable years ending on or after March 31, 1962. The amendments made by section 4 of this Act shall apply to taxable years beginning after December 31, 1958. The amendments made by section 6 of this Act shall apply to taxable years ending after June 11, 1960. Except as herein otherwise provided, the amendments made by this Act shall apply to taxable years ending on or after the date of the enactment of this Act.

ANALYSIS OF BILL (S. 297)

This bill amends the Internal Revenue Code with respect to the income tax treatment of small business investment companies, as follows:

Section 1 and section 2: These sections provide for the establishment by small business investment companies of reserves for losses and bad debts, and will allow a small business investment company to deduct reasonable additions to these reserves. The amount of such reserves is limited to 20 percent of the small business investment company's total investments or loans, as the case may be.

Section 3: This section will exempt small business investment companies from the accumulated earnings tax imposed by section 531 of the Internal Revenue Code.

Section 4: This section will clarify section 542(c)(11), which excepts small business investment companies from the definition of a personal holding company, and will bring the self-dealing qualification contained in that section in line with the SBA regulation prohibiting self-dealing. Under the present law, a small business investment company is not considered a personal holding company unless a shareholder of the small business investment company owns a 5 percent or more proprietary interest in a small concern to which the small business investment company has provided funds. In applying this section, the Internal Revenue Service maintains that stock acquired by the small business investment company in a small concern must be attributed to the shareholders of the small business investment company, in proportion to their respective stockholdings in the small business investment company, to determine whether or not any one of such shareholders owns as much as 5 percent of the small concern. Section 4 of the bill would avoid this interpretation by IRS by providing that a shareholder of the small business investment company shall not be deemed to own the stock of a small concern solely by reasons of his ownership of stock in the small business investment company.

In addition, this section of the bill provides for the loss of exempt status in a case of self-dealing only where the common shareholder owns a 10 percent interest in the small business investment company (as contrasted with present law applying to any shareholder) and also owns 10 percent of the small concern (as contrasted with the present 5 percent). These are the percentages presently contained in SBA regulations prohibiting self-dealing.

Section 5: This section will allow all small business investment companies to qualify as regulated investment companies, so as to enable them to pass through income to their shareholders. This privilege is presently afforded publicly owned small business investment companies which have registered with the Securities and Exchange Commission under the Investment Company Act of 1940. The section will also make inapplicable to small business investment companies the portfolio and income restrictions provided by subsections (2), (3) and (4) of section 851(b) of the code. This is made necessary by the unique nature of small business investment companies and their investments.

Section 6: This section will allow losses on any equity securities to be deducted against ordinary income. This treatment of small business investment company losses was limited in the original act to losses suffered on convertible debentures, since, at that time, the convertible debenture was the only type of equity security authorized to be used by a small business investment company. The act has since been amended to permit the use of other forms of equity securities, and section 6 of the bill will bring the tax laws in line with the act, as amended. A special rule is included in the bill which is applicable to losses on stock. This rule will prevent a small business investment company from recovering the amount of its investment in a small concern through tax-free dividends paid by the small concern out of earnings and profits accumulated prior to acquisition of the stock by the small business investment company, and thereafter receive a full deduction from ordinary income in the event of a loss from the sale of the stock.

Section 7: This section will permit a small corporation to qualify under subchapter S of the code to be taxed as a partnership notwithstanding the fact that the corporation has a small business investment company as a shareholder.

Section 8: Except where otherwise provided in the bill, the amendments made by the bill will apply to taxable years endings on or after the date of the enactment of the bill.

EXHIBIT 2

S. 298

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Investment Act Amendments of 1963".

SEC. 2. The second sentence of section 302(a) of the Small Business Investment Act of 1958 is amended by striking out "$400,000" and inserting in lieu thereof "$1,000,000" and by striking out "three years" and inserting in lieu thereof "seven years".

SEC. 3. Section 303(b) of the Small Business Investment Act of 1958 is amended to read as follows:

"(b) To encourage the formation and growth of small business investment companies, the Administration is authorized (but only to the extent that the necessary funds are not available to the company involved from private sources on reasonable terms) to lend funds to such companies either directly or by loans made or effected in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred (standby) basis. Such loans shall bear interest at such rate and contain such other terms as the Administration may fix, and shall be subject to the following restrictions and limitations:

"(1) The total amount of the Administration's share of loans made and outstanding under this subsection (b) to any one company at any one time (including direct loans, the Administration's share of loans made hereunder pursuant to agreements to participate on an immediate basis, and commitments to lend directly or on an immediate participation basis, but excluding loans made hereunder pursuant to agreements to participate on a deferred (standby) basis and any obligations acquired pursuant to such deferred participation (standby) agreements) shall not exceed an amount equal to 50 per centum of the paid-in capital and surplus of such company or $4,000,000, whichever is less. The total amount of the Administration's share of all loans made and outstanding under this subsection (b) to any one company at any one time, including loans made hereunder pursuant to agreements to participate on a deferred (standby) basis and any obligations acquired pursuant to such deferred participation (standby) agreements, shall not exceed an amount equal to the paid-in capital and surplus of such company or $8,000,000, whichever is less.

"(2) All loans made under this subsection (b) shall be of such sound value as reasonably to assure repayment."

SEC. 4. Section 306 of the Small Business Investment Act of 1958 is amended to read as follows:

"SEC. 306. Without the approval of the Administration, the aggregate amount of obligations and securities acquired and for which commitments may be issued by any small business investment company under the provisions of this Act for any single enterprise shall not exceed 20 per centum of the combined capital and surplus of such small business investment company authorized by this Act."

ANALYSIS OF BILL (S. 298)

Section 1: The act will be cited as the "Small Business Investment Act Amendments of 1963."

Section 2: This section will increase the amount of subordinated debentures of a small business investment company, which SBA is authorized to purchase under section 302(a) of the Small Business Investment Act of 1958, from $400,000 to $1 million. These funds will continue to be made available by SBA for the purpose of aiding in the formation and growth of small business investment companies, and will continue to be provided on a dollar-for-dollar matching basis with the private capital and surplus of the small business investment company. The present law requiring that such funds not be provided by SBA if they are available from private sources on reasonable terms would remain in effect.

The section will also increase from 3 years to 7 years the time after licensing within which a small business investment company may sell its subordinated debentures to SBA under section 302(a).

Section 3: This section will expand the lending authority which SBA now has under section 303(b) of the Small Business Investment Act. Under the present law, SBA may lend funds to a small business investment company (so long as such funds are not available from private sources on reasonable terms) through the purchase of their interest-bearing obligations. The total amount which may be loaned and outstanding to any one company at any one time may not exceed an amount equal to 50 percent of the paid-in capital and surplus of the company or $4 million, whichever is less, and such loans must be of such sound value as to reasonably assure repayment. In order to stimulate the extension of private credit to small business investment companies, and to encourage and promote maximum utilization of private credit facilities by small business investment companies, it is proposed by section 3 of the bill to expand this lending authority, as follows:

1. The Administration will be authorized to make loans under section 303(b) either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or a deferred basis. Such loans will continue to bear interest at rates fixed by the SBA and must be of such sound value as to reasonably assure repayment.

2. Exclude loans made in cooperation with banks or other lending institutions through agreements to participate on a deferred (standby) basis from the loan limit provided in the present law, i.e., 50 percent of capital and surplus of $4 million, whichever is less. By so doing, small business investment companies will be able to obtain loans which exceed the present limit from private lending institutions on the basis of an SBA agreement to take over the loan whenever called upon to do so by the private institutions. This section of the bill provides, however, that the total SBA share of all loans to any one company, including those made on such a standby basis, shall not exceed the amount of the paid-in capital and surplus of the company or $8 million, whichever is less.

Although present law contains no prohibition against loans by SBA under section 303(b) in participation with others, either on an immediate or a deferred basis, it is felt that granting specific authority for the making of such loans is advisable. At present, SBA has a program under which deferred (standby) participation loans are made under section 303(b) of the act. The existing program works in this way: When a licensee applies for a direct loan from SBA under section 303(b) of the Small Business Investment Act, SBA will not issue its commitment to purchase the licensee's obligations unless the latter certifies as to its inability to obtain the needed funds from private sources alone, as well as its inability to obtain such funds from private sources under the standby program. If a private financial institution is willing to provide the licensee with the loan funds under an SBA standby arrangement, SBA thereupon processes the loan application of the licensee, including the obtaining of executed loan documents and related instruments, in the same manner and under substantially the same terms as when SBA issues a loan commitment to a licensee and purchases the obligation of the licensee directly. However, where the standby arrangement is involved, the SBA commitment to the licensee indicates that either SBA or the private source will disburse the loan funds and will hold the note. Simultaneously with the issuance by SBA of a loan commitment to a licensee under the standby program, SBA and the private lending source (ordinarily a bank) execute an agreement under which:

(a) SBA assigns to bank the executed note of the licensee and bank assumes the obligation under the SBA loan commitment to disburse funds to the licensee under the note, but only when so directed by SBA.

(b) Bank may reassign the note to SBA at any time and SBA will thereupon pay bank the outstanding principal under the note. Recoveries of unpaid interest by SBA are prorated between SBA and bank.

(c) SBA may at any time require bank to reassign the note upon payment to bank by SBA of the outstanding principal thereunder. If at the time SBA ever exercises its right of reassignment, there is no default under the note in principal or interest, SBA will pay bank, in addition to outstanding principal, any accrued interest under the note.

(d) The commencement of bankruptcy or similar proceedings involving the licensee-borrower effectuates an automatic reassignment of the note from bank to SBA and the obligation of SBA to pay bank outstanding principal.

(e) Bank pays SBA a service and commitment charge of 1 percent per annum upon outstanding principal under the note while held by bank.

In providing specific statutory authority to make deferred participation loans, it is not intended to require SBA, in the exercise of that authority, to follow the exact procedures which are presently in use. However, it is intended to ratify and approve those procedures, and it is expected that the expanded authority granted by section 3 of the bill will be administered in a way very similar to the present SBA standby program.

Finally, it should be pointed out that section 3 of the bill does not fix a percentage limitation upon SBA's share of a loan made under section 303(b) on an immediate participation basis. This matter is left to the discretion of the agency. In the case of deferred participation agreements, it is intended that SBA be authorized to cover the entire amount of a loan by its agreement to participate on a deferred basis. Both immediate participations and deferred participations are, of course, subject to the limitations specifically provided in the bill.

Section 4: This section will repeal the dollar limitation upon the amount of funds which a small business investment company may provide to a single small business concern. Presently, section 306 of the Small Business Investment Act provides that the amount of such funds shall not exceed 20 percent of the combined capital and surplus of the small business investment company, or $500,000, whichever is less. To assure sufficient diversity of the small business investment company's portfolio, the present 20-percent limitation will remain in effect. Reliance would be placed upon the SBA size-standard regulations to assure that small business investment company funds are provided only to concerns which have traditionally been classified by these regulations as "small."

AMENDMENT OF SECTION 1391 OF TITLE 28, UNITED STATES CODE, RELATING TO VENUE

Mr. ROBERTSON. Mr. President, I introduce, for appropriate reference, a bill to amend section 1391 of title 28 of the United States Code, relating to venue generally.

The object of the bill is to make statutory the decision of the minority in *Olberding* v. *Illinois Central Railroad Co.*, 346 U.S. 338, 74 S. Ct. 83. In that case an Illinois corporation brought an action against residents of Indiana in a district court in Kentucky for damages arising out of an automobile accident which occurred in Kentucky. Defendants pleaded improper venue. This plea was overruled by the district court and its judgment was affirmed by the U.S. Court of Appeals for the Sixth Circuit, 201 F. 2d 582. The Supreme Court reversed, Mr. Justice Reed and Mr. Justice Minton dissenting.

Until the decision in the Olberding case, the Federal courts had held that a nonresident by using the highways of a State, appointed, by implication of law, the motor vehicle commissioner of that State upon whom process could be served and hence the action could be brought in the State where the cause of action arose and service had upon the motor vehicle commissioner. But the court in the Olberding case held that the appointment by implication of law is not equivalent to an actual appointment and that the rules in the cases holding that the actual appointment of a statutory agent is consent to venue, do not apply where the appointment is by implication of law under the Nonresident Motorist Act. Mr. Justices Reed and Minton dissented upon the ground that they saw no difference between the signing of a paper upon which consent is based and the use of the State highways in driving a motor car over them from which consent is implied.

Since the Olberding case, it has not been possible to bring actions in the Federal courts in a State where the cause of action arose unless the plaintiff or the defendant resided in that State. The result is that if a citizen of Pennsylvania, traveling through Virginia, collides with a citizen of North Carolina, the Pennsylvania citizen must go to North Carolina if he wants to sue in the Federal court. Of course, he could file an action in the State court under a State statute providing for venue where the cause of action arises, and serve the defendant under the Motor Vehicle Act, but if he prefers, as a citizen of Pennsylvania, to sue in the Federal court, and I think the Congress should supply the venue.

The Federal venue statute was enacted many, many years ago, during horse and buggy days, and it was not as important then to lay venue where the cause of action arose. Now, however, we have a mobile population that travels from State to State, often crossing several

States, as it moves, and it is important to provide for venue where the cause of action arises.

Last year, during the 87th Congress, a subcommittee of the Judiciary Committee considered S. 701, a bill to add two new subsections to the Federal venue statute. One of the proposed sections in that bill was eliminated at the suggestion of the Attorney General and the Judicial Conference on the ground that the other section provided adequate relief. The bill I am introducing today contains only the remaining paragraph of that bill which simply provides:

A civil action on a tort claim may be brought in the judicial district wherein the act or omission complained of occurred.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 299) to amend section 1391 of title 28 of the United States Code, relating to venue generally, introduced by Mr. ROBERTSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

AUTHORIZATION FOR SALE OF CERTAIN CADMIUM

Mr. MILLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act. I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 304) to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act, introduced by Mr. MILLER, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise, approximately two million pounds of cadmium now held in the national stockpile. Such disposition may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act, relating to dispositions on the basis of a revised determination pursuant to section 2 of said Act, to the effect that no such disposition shall be made until six months after publication in the Federal Register and transmission to the Congress and to the Armed Services Committees thereof of a notice of the proposed disposition.

ANSLEY WILCOX HOUSE

Mr. KEATING. Mr. President, on behalf of my colleague from New York [Mr. JAVITS] and myself, I introduce, for appropriate reference, a bill to establish the Ansley Wilcox House in Buffalo as a national historic site. It is important that this nationally know house where Theodore Roosevelt took the oath of office as President of these United States on September 14, 1901, following the assassination of President McKinley be rescued from the demolition teams who would destroy it.

Not only should this house be preserved as one of the only four sites outside of Washington where the Presidential oath has been administered; it should be preserved to ever remind us of the issuing in of a new era in the history of our country at home and abroad by a great American. Such phrases as "Speak softly and carry a big stick; you will go far" have become immortalized in the American vocabulary as his image has been engraved on the pages of American history. It would be tragic indeed if the American people were deprived of a shrine where they could pay homage to a significant era in their history and to a President who "seemed to incarnate the soul of America."

Not only the citizens of Buffalo but also numerous State and national organizations are supporting the movement to save the Wilcox House. The American Institute of Architects has recommended the preservation of the Wilcox House as a most valuable example of postcolonial architecture. Support has been pledged by the New York State Historical Association, the American Association for State and Local History, the Sons of the American Revolution, the Daughters of the American Revolution, the Society of Colonial Wars, the Mayflower Society, the Daughters of American Colonists, the Society of New England Women, the Society of Colonial Dames, the Buffalo and Erie County Historical Society. I urge Congress to take action to make the Ansley Wilcox House in Buffalo a national historic site along the lines of this bill which my colleague [Mr. JAVITS] and I are today introducing.

I ask unanimous consent that the text of the bill may be printed in the RECORD following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 317) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site, introduced by Mr. KEATING (for himself and Mr. JAVITS), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior shall acquire on behalf of the United States the real property described in section 2 of this Act, known as the Ansley Wilcox House, which real property is of national historic significance as the place in which Theodore Roosevelt took the oath of office as President of the United States on September 14, 1901, following the assassination of President William McKinley. The Secretary shall maintain and preserve such property as a national historic site for the inspiration and benefit of the people of the United States.

SEC. 2. The real property referred to in the first section of this Act is more particularly described as follows:

All that tract or parcel of land, situate in the city of Buffalo, county of Erie, State of New York, and beginning at a point in the east line of Delaware Avenue distant 110 feet southerly from the southerly line of land of Catharine Marie Richmond, recorded in Erie County clerk's office in liber 247 of deeds at page 167; running thence easterly a distance of 110 feet;

Running thence southerly a distance of 60 feet to a point in the north line of land of Morris Michael, recorded in Erie County clerk's office in liber 531 of deeds at page 335; running thence easterly and along the north line of land of the said Morris Michael 64 feet more or less, and continuing easterly on a line extended from the land of Morris Michael a further distance of 174 feet more or less to the westerly line of Franklin Street; running thence northerly along the westerly line of Franklin Street 110 feet; running thence westerly 134 feet; running thence northerly and parallel with Franklin Street 59.51 feet more or less to a point distant 40 feet more or less easterly from the southeast corner of lands of Amelia Stevenson, recorded in Erie County clerk's office in liber 669 at page 299;

Running thence westerly 40 feet to the southeast corner of lands of the said Amelia Stevenson and continuing westerly in a line along the south line of the land of Catharine Marie Richmond a further distance of 174 feet more or less to the easterly line of Delaware Avenue; running thence southerly along the easterly line of Delaware Avenue 110 feet to the place of beginning.

And being subject to an easement as contained in a lease agreement dated January 6, 1959, between the landlord and the Liberty Bank of Buffalo covering a driveway ramp and automobile parking privileges, together with the right of ingress and egress to Delaware Avenue and Franklin Street, as contained in said lease.

ADMISSION TO PRACTICE BEFORE FEDERAL ADMINISTRATIVE AGENCIES

Mr. KEATING. Mr. President, on behalf of the Senator from Nebraska [Mr. HRUSKA] and myself, I introduce, for appropriate reference, a bill to permit members of the bar of the highest court of a State or Federal court to practice before administrative agencies of the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 318) to provide that each member of the bar of the highest court of a State or of a Federal court shall be entitled to practice before administrative agencies of the United States, introduced by Mr. KEATING (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. KEATING. Mr. President, this bill is identical to S. 1409 of the 87th Congress, which I introduced in March of 1961 on behalf of the Senator from Nebraska [Mr. HRUSKA] and myself and the late Senator Bridges. The remarks I made upon its introduction in the last Congress are still pertinent, and I ask unanimous consent to have them reprinted in the RECORD at this point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

Attorneys wishing to practice before many Federal agencies are often confronted with

formidable obstacles. The agencies' rules vary widely and make it extremely difficult for an attorney from outside of the District of Columbia to appear and present matters.

In the case of nonlawyers, additional requirements, qualifications, and investigations may be justified. However, this would not appear to be appropriate for an attorney who must show evidence of his good moral character and educational requisites, and pass a rigorous examination to be admitted to the bar of his home State. Upon admission to the bar, the attorney is subject to continued surveillance by the bench, fellow members of the bar, and the public with whom he must deal.

After consulting with the Director of the Office of Administrative Procedure in the U.S. Department of Justice, I find that only nine departments and other administrative agencies of the Government require an attorney to file an application for admission to practice. Thirty-one other administrative agencies do not require an attorney to follow such a procedure for admission to practice, which raises a question in my mind as to whether formal admission procedures really are necessary or in the best interest of the public.

Some proponents of formal admission requirements to practice before Federal agencies state that this is a method to insure proper discipline among members of the bar engaged in matters before these agencies. It may be that disciplinary actions, where necessary, are more appropriately and properly effected by the bar to which an attorney is admitted. However, there is nothing in the bill which would preclude agencies from disciplining an attorney or any other person who practices before them.

The Hoover Commission stated that at least $300,000 a year could be saved by the Treasury Department alone by eliminating some of its formal procedures for admission of attorneys. The admission of attorneys to practice in other agencies may not be as costly. However, the staff work and correspondence required to process formal applications certainly is substantial.

Uniform rules for admission to practice before Federal agencies are one step in the direction of helping to clear the maze of complex and often unnecessary rules or procedures that have developed within our Federal agencies. The Department of Justice in conducting its study of this problem has recommended that the agencies drop the formal admission requirements and adopt a uniform rule making anyone who is a member of the bar of the Supreme Court of the United States or of the highest court of any State eligible to practice before them.

Since this recommendation was made, I am informed by the Office of Administrative Procedure of the Department of Justice that only two Federal agencies have seen fit to adopt the proposal. My proposal is essentially the same as the recommendation of the Department of Justice and would be mandatory for all agencies and departments except the Patent Office. The Patent Office is excepted because of the very technical nature of the practice before this Agency.

When it is considered that in many cases it is easier to be admitted to practice before the Supreme Court of the United States than it is for an attorney to be recognized by Federal administrative agencies, the need for this bill becomes apparent. It is absurd to bar from practice before a Federal administrative agency attorneys who are considered qualified to present cases before the highest court of a State or the Supreme Court of the United States.

Mr. KEATING. Mr. President, the need for this legislation is as great today as it was in past years. There are still departments and agencies in the Government that require an attorney to follow formal admission procedures before he is permitted to appear in behalf of a client. This is as unfair to the client as well as the attorney. Litigants who are caught up in the administrative processes, many of them involuntarily in the sense that the proceeding is initiated against them by the agency, have a right to be represented by attorneys of their own choosing. Where these lawyers, who are members of the bar in good standing in their own State or of the bar of a Federal court, are not also admitted to practice before the particular agency involved, the burden of compliance with formal agency procedures may well dissuade them from making an appearance and require referral of the matter to attorneys already admitted. Or, in some cases, particularly where the administrative process is set in motion on short notice, the time factor is relevant, and an attorney retained by a client may suddenly discover his inability to appear at the time required. It may be easy for some to say that these burdens are not really difficult to overcome; most lawyers are used to filing papers, and a couple more will not make much difference to them. But, Mr. President, the question is not whether the obstacles are insuperable or easily hurdled; the question is whether the obstacles should be there in the first place. In my judgment, they are totally unnecessary and should be cleared away by the Congress at the earliest opportunity. The growth of the administrative process has been rapid, the proliferation of formal proceedings before nonjudicial bodies has been a development largely of the past half century and shows little sign of abating in the future. We have already reached the point that Federal agencies play a central role not only in larger economic life of the country but also in the lives of citizens as individuals. Before this process goes any further, we ought to take care of procedural obstructions that past experience has demonstrated serve no useful purpose.

Mr. President, I ask unanimous consent to have the text of the bill printed in the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, any person who is a member in good standing of the bar of the highest court of a State or possession of the United States, or of the District of Columbia, shall be entitled to practice before any department, board, bureau, or administrative agency of the United States, other than the Patent Office, without the necessity of making application therefor or of showing any other qualifications.

REVISION OF FEDERAL ELECTION LAWS

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

This bill is identical in every respect to S. 2426, which was passed by the Senate on September 15, 1961. Unfortunately, S. 2426 was not acted upon by the House of Representatives in time for passage during the 87th Congress.

The bill provides for the enactment of a great many desirable and necessary improvements in the existing law. No significant changes have been made in the Corrupt Practices Act or the Hatch Political Activities Act since 1925 and 1939, respectively. Continuing studies and hearings conducted by the administration and the Congress and various citizens' groups throughout the country demonstrate clearly the deficiencies and the obsolescence of the existing law. It is obvious to everyone that the cost of conducting political campaigns has risen astronomically since 1925 and it is equally obvious that the methods of campaigning have changed completely in the past 30 years.

The advent of television and the broad use of other communications media have not only brought great innovations to the field of political campaigning, along with an awareness of the vastly increased costs, but also those communications have brought about a greater consciousness of the need for public disclosure of the raising and distribution of political funds.

While the existing law requires political committees and candidates to file reports of receipts and expenditures with the Clerk of the House of Representatives and the Secretary of the Senate, there is no provision for making such information available throughout the country. Interested citizens, therefore, have difficulty in determining the sources of campaign finances and the manner in which those funds are expended.

This bill would require copies of financial reports to be filed with the secretary of state of the State where the candidate lives or where the principal office of the political committee is located. Thus, in any given State, the citizens thereof would have ready access to information on political funds and, at their own expense, could obtain copies of reports on file with the secretary.

In recognition of present-day costs of campaigning, his bill would permit a candidate for the office of U.S. Senator to spend, in his campaign for election, the sum of $50,000 or an amount to be ascertained by multiplying 20 cents by the first million votes cast or persons registered to vote in the last general election, plus 10 cents times the excess of all such votes cast or of such persons registered. For example, in a State of small population, like Alaska, a candidate for the Senate could spend $50,000 whereas in a heavily populated State, such as Illinois, on the basis of the 1960 returns, a candidate for the Senate could spend approximately $563,000.

On the other hand, candidates for the House of Representatives, including a Resident Commissioner, could spend under the provisions of this bill, $12,500 or a larger amount, under this formula, if the population of his representative district is large.

Also, while the existing law limits candidates for the Senate and House of Representatives, by subjecting them to the ceilings imposed on expenditures by State

law, this bill would supersede State law where State limitations conflicted with its provisions.

It has been recognized by all political parties that the existing limitation on national committees of $3 million of contributions or expenditures is totally inadequate to meet the needs of present-day campaigning, particularly in presidential election years. This limitation has caused the organization of numerous national committees, in order to raise and spend lawfully the necessary campaign funds, to bring to the people in all 50 States, the issues and programs of the candidates and the parties. This bill, therefore, would permit national committees to receive contributions or make expenditures up to an amount ascertained by multiplying 20 cents by the highest number of voters casting votes for all candidates for the office of presidential elector in any one of the last three elections for that office. On the basis of the vote cast for all candidates for presidential elector in 1960, each national committee would be permitted to raise and expend almost $14 million.

The flexible formula thus established governing national committees would permit greater amounts to be raised and spent in accordance with the growth of the population and would obviate the necessity of establishing many ancillary fundraising committees.

The bill would impose more specific duties on the candidates and the treasurers of political committees, requiring them to file detailed reports of receipts and expenditures, including transfers of money to or from other political committees. The number of reports required of a political committee, while more detailed in content, would be fewer. Existing law requires six reports during an election year from political committees, whereas the bill would require only four reports during an election year.

This bill would impose duties on the Clerk of the House, the Secretary of the Senate and the secretaries of the various States to receive and preserve financial reports and statements for a period of 6 years. They would be required also to make such reports available for public inspection within 24 hours of their receipt during regular office hours and to permit copying of any report at the expense of the person requesting the copy.

Hearings before the Subcommittee on Privileges and Elections have always emphasized the need for a modernization of Federal election laws in consideration of the latest methods of campaigning and the costs of such campaigns, but on an equal level of importance, stress has been placed on the need for full disclosure on all levels of campaign financing. This bill recognizes the need for higher ceilings on contributions and expenditures and at the same time imposes a definite obligation upon candidates and political committees to disclose the sources of their campaign finances and the manner in which the funds are spent. The provision calling for copies of reports to be filed with the secretary of the State will enable citizens of the United States in every corner of the Nation to be fully apprised of the political funds of candidates and political committees seeking Federal office or attempting to influence Federal elections in a given State.

The provisions of this bill were, as I stated previously, incorporated in identical language in S. 2426, passed by the Senate last year, after having received the unanimous approval of the Subcommittee on Privileges and Elections and its parent Committee on Rules and Administration. The action of those committees and the action taken by the Senate itself, indicates a realization by the Members of the Senate that this is a good measure and one which is necessary in order to govern fairly and justly the orderly procedures of congressional campaigns in the United States.

I am hopeful that the bill will be given early consideration in committee and then by the Senate and the House of Representatives. I ask unanimous consent for the bill to lie held at the desk for 3 days for additional sponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Nevada.

The bill (S. 329) to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes, introduced by Mr. CANNON, was received, read twice by its title, and referred to the Committee on Rules and Administration.

CONTINUANCE OF APPROVAL AUTHORITY OF STATE APPROVING AGENCIES

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies. In brief, the legislation would continue the existing system of approvals by State approving agencies for the war orphans' program beyond the end of the Korean program on January 31, 1965, and for so long as war orphans' educational assistance continues.

State approval agencies currently have the responsibility for the approval of courses of education and training under the war orphans' educational program. This responsibility arises by reason of section 1735(b) of title 38, providing that courses of education approved under the Korean GI bill shall be considered approved for the purpose of war orphans' educational assistance. Section 1735(c) of title 38 provides that, after the termination of the Korean GI bill, the Administrator of Veterans' Affairs shall be responsible for the approval of any courses for the purpose of the war orphans' program.

To preclude this reversion of approval authority to the Administrator, the bill authorizes the State approval agencies to continue the approval of courses under the war orphans' program beyond the end of the Korean GI program, and for so long as war orphans' educational assistance continues.

This proposed legislation was favored by the Veterans' Administration during the 87th Congress and was favorably reported by the Senate Committee on Labor and Public Welfare. I hope the bill can be reported to the full Senate at an early date for its consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 330) to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

EXTENSION FOR 5 YEARS THE PROGRAM OF HOSPITAL AND MEDICAL CARE FOR SERVICE-CONNECTED DISABLED VETERANS OF THE PHILIPPINES

Mr. YARBOROUGH. Mr. President, on behalf of myself and Senators HILL, MORSE, BURDICK, WILLIAMS of New Jersey, and PELL, I introduce, for appropriate reference, a bill to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of service-connected disabled veterans in the Republic of the Philippines.

This bill is identical to a measure which I and a number of other Senators introduced during the 2d session of the 87th Congress, and which was favorably reported by the Senate Committee on Labor and Public Welfare. The bill had strong support among the national veterans organizations and by the Veterans' Administration during the last Congress. I am sure they will continue to support this proposed legislation during its consideration in this Congress.

This bill would extend for 5 years the program originally established in 1948, and which will terminate on June 30, 1963, unless extension legislation is enacted.

The program was originally established for the purpose of assisting the Republic of the Philippines in its post-war recovery and of fulfilling our obligations to members of the Philippine Commonwealth Army and guerrilla forces who served with our Armed Forces during World War II.

Two basic forms of assistance would be extended by the bill:

First, the grant-in-aid program, which reimburses the Republic of the Philippines for its expenditures regarding hospital care for service-connected disabled veterans; and

Second, the program of outpatient care for such veterans, which is managed directly by the Veterans' Administration.

Although existing law authorized program expenditures up to $2 million in any fiscal year, this bill fixes a ceiling of $500,000 for each fiscal year during the extended 5-year period. This ceiling is being lowered, because the number of veterans has decreased over the years

and there has been a gradual lessening of cost to the U.S. Government in connection with the hospitalization program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 331) to amend section 632 of title 38, United States Code, to extend the period during which the Administrator of Veterans' Affairs may contract for the hospital and medical care of certain veterans in the Republic of the Philippines, introduced by Mr. YARBOROUGH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMENDMENT OF COLORADO RIVER STORAGE PROJECT ACT WITH RESPECT TO PROTECTION OF NATIONAL PARKS AND MONUMENTS

Mr. MOSS. Mr. President, in 1956, when the Congress passed the Upper Colorado River Storage Act, a provision was written in at the last moment requiring the Secretary of the Interior to construct two small dams to "protect"—and I use the word "protect" in quotes—the great Rainbow Natural Bridge in Utah from the encroaching waters of the lake to be formed by the Glen Canyon storage dam on the Colorado River.

I am today introducing a bill to remove from the act the requirement placed on the Secretary of the Interior to construct these dams. My bill deletes from the statutes all language relating to this matter.

I first took the position that the dams were not necessary shortly after I came to the U.S. Senate in 1959. I have held consistently to this position, appearing before both the House and the Senate Appropriations Committees each session to request that no funds be appropriated to construct the dams. For 3 successive years now the Interior appropriations bills have been reported from committee and passed without such funds. I am confident that the vast majority of the Members of the Congress, and certainly of the appropriations committees where the story is fully known, are wholly convinced that to spend the $25 million required to build the two dams, or even the millions required to build any of the suggested alternative dams, would be to waste the money completely.

No dam—no barrier—is necessary to "protect" the arch of the Rainbow Bridge in the national monument of that name from the backed-up waters of Lake Powell. On-the-ground inspections by the U.S. Geological Survey and by others, including the Secretary of the Interior himself, have established that the water, at its highest point, would be well below the columns of the arch, and would not endanger them. In the long controversy about the dams, this fact has not been disputed. There has never been any question of danger to the great arch from the water.

On the other hand, there is no doubt that any protective dam, or combination of protective dams, no matter how carefully built, would scar the primitive beauty of the bridge and its setting. Certainly, the disruption to the glorious spectacle would be greater from a dam than from a stream backing up under the arch, following the natural contours of the land.

And, certainly, it has never been disputed that a stream of water into this dry and arid land, aside from being very desirable in itself, would make the area more accessible. At the present time, Rainbow Bridge can be seen only after a long overland hike, but were there water under it, and boats could sail close to it, this unique and colorful arch could be seen by thousands who probably would not otherwise have this thrill.

As far as Congress is concerned, I feel that the issue of the protective dams at Rainbow Bridge has been settled. The refusal of the Congress to appropriate money for a dam, or dams, in three successive sessions, indicates that opinions have jelled, and that the money is not going to be appropriated.

Also, time has run out when the dams could be constructed. Glen Canyon Dam is to be closed sometime this month, and Lake Powell will start filling with the spring rains. Depending on the amount of rainfall, the flows could back up into the vicinity of the arch anytime within the next year. There is no money in the fiscal year 1963 appropriations, and fiscal 1964 would be too late.

But there still remains in the Upper Colorado River Storage Act the language requiring the Secretary of the Interior to build the protective dams. This he obviously cannot do if the Congress fails to appropriate any money for the dams. Since the Congress has made its wishes in the matter abundantly clear, the provision requiring the Secretary to build the dams should be removed from the law. This is what the bill I am introducing today would do, and I hope it will be enacted this session.

In this time of crisis—in these days when the cost of our defense and security is mounting to such astronomical heights—there can be no excuse for wasting $25 million; nor any excuse to damage the scenic area of Rainbow Bridge National Monument.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 333) to amend the Colorado River Storage Project Act with respect to the protection of national parks and monuments under the provisions of such act, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CONVEYANCE OF CERTAIN LANDS TO CITY OF HENDERSON, NEV.

Mr. CANNON. Mr. President, I introduce, for appropriate reference, a bill to authorize the conveyance of certain public lands to the city of Henderson, Nev. One of the difficulties facing the cities in my State is that they are generally surrounded by public domain and, therefore, cannot follow the ordinary procedure for growth, that is, annexation.

Henderson is located in southern Nevada which is the most rapidly growing portion of the State; and the State, incidentally, is growing at a more rapid pace on a per capita basis than any other. It is imperative, therefore, that the city be given opportunity to expand in order that adequate planning can be devised.

Mr. President, my colleague, the senior Senator from Nevada [Mr. BIBLE] joins me in introducing this legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 346) to provide for the conveyance of certain lands to the city of Henderson, Nev., introduced by Mr. CANNON (for himself and Mr. BIBLE, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

CREATION OF A STANDING COMMITTEE ON VETERANS' AFFAIRS

Mr. CANNON. Mr. President, on behalf of myself, the junior Senator from New York [Mr. KEATING], and the senior Senator from West Virginia [Mr. RANDOLPH], I submit, for appropriate reference, a resolution to amend the Standing Rules of the Senate to create a standing Senate Committee on Veterans' Affairs and I ask that it be appropriately referred.

Mr. President, numerous efforts have been made to create a standing Veterans Committee in the Senate ever since the Reorganization Act of 1946. While such a standing committee was deleted from the 1946 legislation as a measure of compromise made during the Senate debate, the original recommendation of the Reorganization Act provided for a standing Committee on Veterans' Affairs.

The junior Senator from New York [Mr. KEATING] and the junior Senator from Nevada held hearings on this important matter during the month of June 1959, and unanimously recommended the creation of a standing committee. The recommendation was not passed by the full committee.

The major veterans' organizations have lent their support to the creation of this committee. This resolution is identical to Senate Resolution 134 which I submitted during the 87th Congress. On that resolution 32 Senators joined me as cosponsors. Therefore, Mr. President, with that in mind I ask unanimous consent that this resolution lie on the desk for 3 days in order that Senators who wish may add their names as cosponsors.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Nevada.

The resolution (S. Res. 48) was referred to the Committee on Rules and Administration, as follows:

Resolved, That rule XXV of the Standing Rules of the Senate (relating to standing committees) is amended by—

(1) Striking out subparagraphs 10 through 13 in paragraph (h) of section (1);

(2) Striking out subparagraphs 16 through 19 in paragraph (1) of section (1); and

(3) Inserting in section (1) after paragraph (p) the following new paragraph:

"(q) Committee on Veterans' Affairs, to consist of nine Senators, to which committee

shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

"1. Veterans' measures, generally.

"2. Pensions of all the wars of the United States, general and special.

"3. Life insurance issued by the Government on account of service in the Armed Forces.

"4. Compensation of veterans.

"5. Vocational rehabilitation and education of veterans.

"6. Veterans' hospitals, medical care, and treatment of veterans.

"7. Soldiers' and sailors' civil relief.

"8. Readjustment of servicemen to civil life.

SEC. 2. Section 4 of rule XXV of the Standing Rules of the Senate is amended by striking out "and Committee on Aeronautical and Space Sciences" and inserting in lieu thereof "Committee on Aeronautical and Space Sciences; and Committee on Veterans' Affairs."

SEC. 3. Section 6(a) of rule XVI of the Standing Rules of the Senate (relating to the designation of ex officio members of the Committee on Appropriations), is amended by adding at the end of the tabulation contained therein the following new item:

"Committee on Veterans' Affairs—For the Veterans' Administration."

SEC. 4. The Committee on Veterans' Affairs shall as promptly as feasible after its appointment and organization confer with the Committee on Finance and the Committee on Labor and Public Welfare for the purpose of determining what disposition should be made of proposed legislation, messages, petitions, memorials, and other matters heretofore referred to the Committee on Finance and the Committee on Labor and Public Welfare during the 88th Congress which are within the jurisdiction of the Committee on Veterans' Affairs.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CANNON. I yield.

Mr. KEATING. Mr. President, I am proud and happy to join the Senator from Nevada in cosponsoring this resolution to establish a Senate Committee on Veterans' Affairs. In the early days of the 86th Congress, Senator CANNON and I were cochairmen of the subcommittee of the Rules Committee to investigate the situation to determine whether there was a genuine need for such a committee.

Now, as my colleagues realize, veterans' legislation in the Senate is divided between the Committee on Labor and Public Welfare and the Committee on Finance. It is not intended as criticism of either committee to say that this arbitrary division of legislation is inefficient and unreasonable. Our study reveals four distinct arguments in favor of the establishment of such a committee.

First, nearly half of the Members of the Senate have recognized the need for a veterans' committee by cosponsoring resolutions for this purpose.

Second, Mr. President, provision was specifically made for a veterans' committee in the 1946 congressional reorganization. Although generally cutting down the number of congressional committees, the act recognized the real need for a group with clear jurisdiction and competence in this area.

Third, it is sometimes said that the Finance Committee should retain jurisdiction because the authorization of veterans' benefits may create revenue problems. If this argument were followed to its logical conclusion we could abolish virtually every committee and let the Finance Committee handle everything.

Fourth, there are approximately 22 million veterans in the United States today. Their problems and the laws dealing with them are complex and specialized. A single committee in this area would be in the best position to develop staff and resources to judge veterans' needs fully and fairly.

Mr. President, those who are now veterans did not hesitate when they were called to serve their country in its time of need. They honored their commitment to the defense of our Nation. Surely, in simple justice to their needs and to a more efficient handling of veterans' problems, the creation of a Senate Veterans' Committee would be a step forward. I strongly support this resolution and urge the Rules Committee to act favorably upon the recommendations made by Senator CANNON and myself in 1959, as incorporated in this resolution.

Mr. CANNON. I thank the distinguished Senator for his remarks.

WATER RESEARCH AND NATIONAL WILDERNESS—ADDITIONAL COSPONSOR OF BILLS

Mr. ANDERSON. Mr. President, on January 14 I introduced S. 2, a bill to establish water resources research centers at land-grant colleges and State universities, to stimulate water research at other colleges, universities, and centers of competence, and to promote a more adequate national program of water research, and S. 4, a bill to establish a National Wilderness Preservation System for the permanent good of the whole people.

I request unanimous consent that at the next printing of these bills the name of the junior Senator from New Hampshire [Mr. MCINTYRE] be listed as an additional cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

YOUTH EMPLOYMENT ACT—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators JACKSON, ANDERSON, and HARTKE were added as additional cosponsors of the bill (S. 1) to authorize the establishment of a Youth Conservation Corps to provide healthful outdoor training and employment for young men and to advance the conservation, development, and management of natural resources and recreational areas; and to authorize local area youth employment programs, introduced by Mr. HUMPHREY (for himself and other Senators) on January 14, 1963.

AMENDMENT OF HOUSING ACT OF 1961, TO FACILITATE CONSERVATION OF LAND FOR OPEN SPACE—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators CASE, YOUNG of Ohio, HART, COOPER, LONG of Missouri, MCCARTHY, and HUMPHREY were added as additional cosponsors of the bill (S. 7) to amend title VII of the Housing Act of 1961 to facilitate the conservation of land for open space, and for other purposes, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators) on January 14, 1963.

THE ELEANOR ROOSEVELT FOUNDATION—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators BAYH, SYMINGTON, and YARBOROUGH were added as additional cosponsors of the bill (S. 171) to incorporate the Eleanor Roosevelt Foundation, introduced by Mr. HUMPHREY (for himself and other Senators) on January 14, 1963.

COMMISSION ON CONGRESSIONAL REORGANIZATION — ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 14, 1963, the name of Mr. KEATING was added as an additional cosponsor of the bill (S. 177) to establish a Commission on Congressional Reorganization, and for other purposes, introduced by Mr. CASE (for himself and Mr. CLARK) on January 14, 1963.

COMMISSION ON OBSCENE MATERIALS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of January 14, 1963, the names of Senators HOLLAND, KEATING, SIMPSON, THURMOND, and TOWER were added as additional cosponsors of the bill (S. 180) creating a Commission to be known as the Commission on Noxious and Obscene Matters and Materials, introduced by Mr. MUNDT (for himself and other Senators) on January 14, 1963.

ESTABLISHMENT OF JOINT COMMITTEE ON ORGANIZATION OF CONGRESS — ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Under authority of the order of the Senate of January 14, 1963, the name of Mr. BAYH was added as an additional cosponsor of the concurrent resolution (S. Con. Res. 1) establishing a Joint Committee on the Organization of the Congress, submitted by Mr. CLARK (for himself and other Senators) on January 14, 1963.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. RANDOLPH:

Excerpts from an address by Hon. Guido Colonna, Acting Secretary General of NATO, at Paris meeting of NATO Parliamentarians;

article from Elkins Inter-Mountain, Elkins, W. Va., Monday, December 17, 1962, reporting comments by Senator RANDOLPH regarding NATO responsibilities of member nations.

THE DOCKWORKERS' STRIKE

Mr. LAUSCHE. Mr. President, the President of the United States stated on January 16 that the dock strike on the east coast and the gulf coast is "doing intolerable injury to the national welfare" and is "disrupting vital free-world commerce." The impact of this strike has already been felt by businessmen and workers in Ohio, as evidenced by communications which I am receiving both by telegram and by mail.

In spite of the President's statement concerning the "intolerable injury to the national welfare," neither he nor any existing public agency is able to do anything about it. Thus, we have a situation in which the Longshoremen's Union, through its network of operations and reciprocal services rendered by other unions, has paralyzed the shipping facilities sailing on the high seas along the east and gulf coasts of the United States. International commerce is at a standstill. The Government is unable to do anything about it.

Can we tolerate power of that type, possessed by a union, resulting in damage to the economy of the country and creating "intolerable injury to the national welfare"?

It is hard to believe, yet it is true, that the small segment of our economy represented by the Longshoremen's Union is able to exercise a power greater than that vested in the President of the United States or now capable of being exercised by the people. Yet it is true; the Longshoremen's Union is a government within the Government. It has made the decision that no ships shall sail upon the high seas; yet nothing can be done about it.

So we have an empire within an empire. This union, engaged in work connected with transportation, is the empire within our society; and, whether we like it or not, under present law we must concede that it is all powerful.

The power to substantially and, if so determined, to completely destroy the transportation facilities of our country should not be permitted to exist in the hands of anyone. Excessive power makes tyrants out of persons possessed initially of the most compassionate attitudes; by power bad men are made worse; by power, good men frequently become bad. When allowed to be exercised without restraint, power is taken away from the people as a whole, and is vested in a few. I quote the words of Lord Acton:

> All power corrupts, and absolute power corrupts absolutely.

In this work stoppage by concerted action, the unions have set up a wall against the importation and exportation of any goods affecting our welfare and the economy. It has done so through a monopolistic control of the docks on the east and the gulf coasts, achieved through the working arrangements of the different unions and through monopolistic control impeding the free flow of trade.

Under the laws, the business managements of our country are comprehensively regulated. These laws are intended to prevent all monopolistic practices and restraints of trade. Operators of businesses have, under the laws prohibiting monopolies, been prosecuted and sent to jail; yet, unions connected with transportation are suffered to tie up the country by monopolistic practices and restraints of trade which the antitrust laws prohibit to business.

If there came before the Senate a bill proposing to give to the President of the United States the powers now possessed by persons in charge of the transportation labor unions, I would vigorously oppose it on the floor of the Senate, both by way of argument and by way of vote. If, by some extraordinary circumstance a similar power were sought to be placed in me, either as a citizen or a Senator, I would vigorously reject it as being inimical to the interest of my country.

The President has declared of utmost importance the passage by the present Congress of bills dealing with tax reduction; the establishment of a domestic Peace Corps; the creation of a Youth Conservation Force; the financing by the Federal Government of lawyers to represent indigent prisoners in the Federal courts; the gift of Federal moneys to local governments owning mass transportation systems, to enable them to buy buses and other facilities needed for improved transportation; the supply of hospital services for the aged under the social-security system; and a number of other Federally financed services. Each of these proposals of the President is worthy of careful and extensive consideration.

Of equal, and probably of greater, importance is the obligation, not only of the citizenry but also of the Members of the Congress of the United States, to bring to an end the inordinate and unjustified monopolistic strangle hold possessed by the leaders of the transportation unions over the economic life of our country.

It is my hope that the present administration will support the McClellan proposal, on the grounds that it will place corresponding obligations and will grant corresponding rights to business management and labor unions, alike.

I favor the placing of the unions dealing with international, national and domestic transportation within the provisions of the antitrust laws of the United States. I do so on the basis of my belief that justice and equality of treatment require that those who own the transportation systems and those who are in charge of the labor unions connected with those systems must be vested with similar responsibilities and rights, under law.

The VICE PRESIDENT. Under the 3-minute limitation, the time available to the Senator from Ohio has expired.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the Senator from Ohio may be permitted to proceed for 2 additional minutes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none; and the Senator from Ohio is recognized for 2 additional minutes.

Mr. LAUSCHE. Mr. President, despite these weighty considerations to which I have referred, I might have hesitated to support the proposal of the Senator from Arkansas [Mr. MCCLELLAN], S. 287, if I had felt that it was, even to the slightest degree, unnecessarily crippling to organized labor, and, hence, unfair and inequitable. But even a casual examination of the bill clearly demonstrates this not to be so.

This measure would neither destroy, nor even diminish, the right or the ability of an individual labor union to engage in a strike, a picket line, a primary boycott, or any of the other activities which are necessary if labor unions are to bargain collectively with any effectiveness and with any equality of strength as they confront the employers. It is only when two or more labor unions combine, and, acting in concert, engage in these activities for the purpose, and with the effect of, substantially restraining interstate or foreign commerce in the transportation of persons or property, that the prohibitions of this measure would come into play. The essence of the proscribed offense lies in the combination, the concerted action. In the absence of that factor, this bill would do nothing to outlaw any union conduct of any kind.

Mr. ROBERTSON. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I yield.

Mr. ROBERTSON. I wish to say that I wholeheartedly endorse the sentiments which have been expressed by the distinguished Senator from Ohio.

He was not a Member of the Senate at the time, but perhaps he will recall that in 1950 I introduced a bill comparable to the antitrust bill which has been introduced by the Senator from Arkansas [Mr. MCCLELLAN], of which I am a cosponsor. Does the Senator from Ohio recall that I introduced that bill?

Mr. LAUSCHE. I recall that last year there was some discussion of it.

Mr. ROBERTSON. Is not the present national tieup a threat to our national welfare, and perhaps to our national security?

Mr. LAUSCHE. It certainly is. In my judgment, Mr. President, there should never be granted the power to make it possible for any individual or any organization to paralyze completely the economy of the country, if anyone so desired.

That means that the longshoremen's labor union is more powerful than the people of the United States. It is more powerful than the President of the United States in dealing with this subject and that should not be.

Mr. ROBERTSON. Mr. President, I invite the attention of my friend to the fact that in my own home county of Rockbridge, Va., there is only one large industry, which is a carpet plant. It employes 2,200 workers. Those workers are about to be thrown out of work because they cannot get wool for the carpets. Can the Congress now do anything about it? Can the President now do anything about it to keep those people from losing their jobs?

Mr. LAUSCHE. It is my understanding that yesterday one of the international airlines was called on the telephone by one of the nations in the Caribbean. The airline was begged to make available an airlift for important necessities of life. Yet we cannot do anything about the problem.

The VICE PRESIDENT. The time of the Senator has expired.

ORDER FOR RECESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, and after consultation with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], I announce that it is the intention of the leadership to recess this afternoon not later than 4:30. I ask unanimous consent, therefore, that when the Senate recesses today, it stand in recess until 12 o'clock noon on Monday.

The VICE PRESIDENT. Without objection, it is so ordered.

I AM THE AMERICAN SMALL TOWN

Mr. CARLSON. Mr. President, the 20th century has brought about many changes in our economy and shifts in our population. Everyone must agree that the rural population is shifting rapidly to the urban centers. This shift in population is also having its effect on the small towns of America.

Rolla Clymer, owner of the El Dorado Times and one of Kansas' outstanding editorial writers, recently wrote an editorial entitled "I Am the American Small Town." In this beautifully written, descriptive editorial, Mr. Clymer stresses the important part that the small town has played in this Nation. His concluding sentence reads:

I am the American small town—the final freehold of American liberties, and the sleepless guardian of America's unrivaled and surpassingly precious way of life.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

I am a compact cluster of people and their modest homes, set down along the banks of some placid stream, in some secluded vale, or perhaps in the sheltering shadows of high hills.

I make no pretense of earthly greatness. No roaring facilities of mankind intrude upon my premises; no glittering spires or minarets or towers dominate my lowly skyline.

Yet I represent a happiness and a repose such as is rarely found in these latter days of turmoil and striving.

Sturdy hands formed my outlines in the long long ago when the world was young—and when an empire was being wrested from the virgin wilderness. I am the product of the truehearted—Those faithful, valiant ones, who came and stayed, who planted their banners on the rolling prairies, and established a secure homeland for their kind.

I am profoundly grateful that the blood of those gallant pioneers runs in my veins; that the lessons they taught me of frugality, of the blessings of honest toil, and the wisdom of fair dealing have not departed from me.

I rejoice that those who dwell within my narrow boundaries find serenity in nature's loveliness about them, contentment in simple pleasures, and strength in close neighborly ties.

For my part, I endeavor to bestow upon them a perspective of peace—far removed from the clangor of worldly marts and the bedlam of industrial furnaces. Here, in the midst of tranquility, I offer them the opportunity to work and play at moderate pace, and to find sufficient room in which their souls may grow.

Wayfarers will not behold my name emblazoned in dazzling lights—yet there are those scattered in far places who remember me tenderly—sometimes with tear or sigh. The mapmakers mark me with a single dot upon their charts—but to some who wander in the desolation of human jungles, I bear the magic and mystic symbol of home.

I number my children only by the score, and those who sojourn in the canyons of massed centers hold me in slight esteem. I bear no grudge, for I am favored with such bounties as the good earth, the radiant sky, the free and vagrant winds, and the wideness of God's out of doors. Each day as it passes brings me new vigor—new joy in plain and wholesome living.

I occupy only a tiny spot in the firmament, yet my being must be marked for usefulness in the "master plan," else there would not be so many of me.

I am the haven of the freeborn, the habitation of those who cherish their independence. I have learned to dwell in harmony with my neighbor. From me flows a force which exerts a mellowing influence upon the lustiness of our Nation, and contributes the savor of tolerance and restraint to the distilled essence of its character.

I am the American small town—the final freehold of American liberties, and the sleepless guardian of America's unrivaled and surpassingly precious way of life.

PRESIDENT'S STATE OF THE UNION MESSAGE

Mr. MILLER. Mr. President, in the Tuesday, January 15, issue of the Milwaukee Sentinel there appeared an excellent editorial entitled "U.S. Paradox" commenting on the President's state of the Union message. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

U.S. PARADOX

It is a paradox to have the state of the Union good and, at the same time, to need major changes in Federal taxes. Logically, if the Union were in good shape there would not be much wrong with Federal taxes or, conversely, if Federal income taxes are so great a drag on the economy the state of the Union could not be called good.

But logic and politics don't mix. It is pointless to fault President Kennedy's state of the Union message because he says, in effect, that things are good and need correcting. The explanation for how this can be is to be found in the response given by the man who was asked how his wife was: "Compared to what?" The state of the Union is good, compared to what it was in times of war or economic recession. At the same time, Federal income tax rates are undeniably in need of correction.

President Kennedy spoke of much more than the tax problem in his message—of the trends in world affairs favoring the free, of the needs in the fields of education, health, and civil rights, of the need to strengthen America spiritually as well as materially. Nevertheless, his remarks on taxes dominated it all. As Mr. Kennedy said, "one step above all is essential—the enactment this year of a substantial reduction and revision in Federal income taxes."

Of course, things are never so good that they can't get better; it is always possible for things to get worse, and things can be good only relatively speaking. Chronic unemployment persists. The cost-price squeeze keeps getting tighter. Balance of payments remains a problem. The economic growth rate is too close to being stagnant.

The culprit in all this is clearly an oppressive income tax rate. Small wonder, then, that interest in the President's message should center on his tax remarks. Even so, these remarks are only preliminary. Now what Congress—and the Nation—will be anxiously waiting to see is Mr. Kennedy's tax and spending programs spelled out.

The President informed Congress that he will propose a permanent reduction in tax rates in an early message. He sketched the features in his message Monday—a $13.5 billion tax cut over 3 years, starting with a $6 billion reduction this year.

Interest will be just as keen in the President's budget message, scheduled to be delivered to Congress Thursday. Members of Congress in command of tax legislation—fellow Democrats, incidentally—are leery of tax cuts that are not accompanied by spending cuts.

Well aware of this attitude, President Kennedy held out a promise of a budget "which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level."

"This requires," he said, "the reduction or postponement of many desirable programs—the absorption of a large part of last year's Federal pay raise through personnel and other economies—the termination of certain installations and projects—and the substitution in several programs of private for public credit."

Fate of the tax cut proposal will be determined largely by how well President Kennedy keeps his promise to budget domestic expenditures below this year's level and to postpone so-called desirable programs.

END OF PIPELINE SALES TO SOVIET UNION

Mr. KEATING. Mr. President, on a number of occasions I have spoken on the Senate floor in relation to the problem of the Soviet flood of oil into Western Europe and into the free world. Recently the Senate Internal Security Subcommittee conducted hearings on the threat to our national security posed by the so-called Soviet oil offensive. The Russians have embarked upon a program of expanding their oil trade by selling outside the Communist bloc, at a price well below the world market figure.

In other words, they charge the free world about half what they charge their own satellites—Poland, Hungary, and so forth—for oil. The tactic obviously is politically motivated in that it forces the smaller underdeveloped countries to become dependent on the Soviet as a source of the oil because they sell also to the underdeveloped countries at lower prices than they sell to the free world, and then they recoup their profits from their Communist satellites.

The expansion of the Russian oil industry would be impossible without the cooperation of many of our Western

allies, who supply technological information, tankers and pipeline in return for oil.

Because the testimony given at the subcommittee hearings presented such a shocking picture, I was both surprised and extremely pleased to note this week that both the German and the Japanese Governments have announced an embargo on oil pipeline shipments to the Soviet Union. Moscow Radio announced that this reversal of policy on the part of two of our allies was due to the influence of the United States and NATO, and, in the case of the Japanese decision, Ambassador Reischauer was singled out for specific mention as "the man who played a vital role in inducing the Japanese Government to make the decision."

I would like to take this opportunity to commend those American and NATO officials who were instrumental in achieving this curtailment, and to assure the German and Japanese Governments that they have taken a wise course, one that will significantly contribute to the long-term economic strength and security of the free world.

THE GREATER ROLE OF ELECTRONICS IN THE FIELD OF MEDICAL RESEARCH

Mr. KEATING. Mr. President, I have been impressed by the greater and greater role electronics is playing in the field of medical research. Although we have a long way to go to establish an efficient and comprehensible liaison between these two areas, we are making steady progress toward lessening the gap. In the near future, electronic devices and computers will become basic and most important instruments as our arsenal of medical knowledge increases and expands.

Just to point out the progress that has been made, today we have a radio pill, developed by the Rockefeller Institute, the New York Veterans' Administration Hospital, and the Radio Corp. of America, which as it passes through the body transmits the condition of the internal organs. And an electronic device called the pacemaker is in the process of being perfected to stimulate and regulate the pumping action of the heart. In the future, the time can be foreseen when patients subject to unexpected attack—such as cardiac, diabetic, and epileptic—can carry a sensing transmitter which in the case of impending attack will not only alert the patient himself but will also transmit a message to a central control board along with the code number of the wearer so that medical aid can be sent.

Mr. President, we have barely begun to tap the total potential of electronics in the area of medical research. The vast horizon of knowledge and discoveries that await us are clearly pointed out by Mr. David Sarnoff, chairman of the board of the Radio Corp. of America on the occasion of the Albert Lasker Medical Research Awards luncheon. His excellent address is a revelation of medical progress and a well-deserved tribute to the Lasker awards program.

Mr. President, I ask unanimous consent that following my remarks, the text of Mr. Sarnoff's speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

MEDICAL RESEARCH AND ELECTRONICS

(Address by David Sarnoff, chairman of the board, Radio Corp. of America, Albert Lasker Medical Research Awards luncheon, Sheraton-East Hotel, New York City, November 14, 1962)

This luncheon which honors two distinguished explorers of the medical frontier is, in a true sense, a tribute to a vision. It is a vision symbolized by these miniature replicas of the Winged Victory of Samothrace—a vision that man need not be the yielding victim of disease and pestilence, disability and untimely death; and that knowledge, properly disseminated and deployed, can conquer the seemingly unconquerable.

Many have shared such an ideal, but few have ever possessed the dedication of Albert and Mary Lasker in carrying it forward.

It was my privilege to have known Albert Lasker intimately for 35 years. To all of us who were his friends, his last 12 years seemed to have been his happiest and most completely filled. For, during these years, he found in Mary Lasker not only a wife and companion but a partner and guide in bringing new purpose to his life and a new outlet for his vast capacity to serve the public welfare.

Together they fought the good fight against apathy and indifference, ignorance, and fear. They won victory upon victory—for the concept of government research support of medicine, for more vigorous foundation effort, for a greater public awareness of health needs and opportunities. Their influence extended far beyond their enormous personal dedication, and it continues to expand. Death never dissolved their partnership, for the good fight goes on under Mary Lasker, and we are witness to that fact today.

In 16 years, the Albert Lasker Awards have come to be recognized as America's Nobel Prize for basic and clinical pioneering in the field of health. In many instances these awards have anticipated the judgment of the Nobel committee, for no fewer than 15 Lasker award recipients have subsequently become Nobel laureates. Dr. Watson, of the United States, and Drs. Wilkins and Crick, of Great Britain, who received the Nobel award for medicine and physiology last month, were winners in 1960 of Albert Lasker awards.

Though I speak as a layman, I am sufficiently familiar with the meaning of their work to suggest that the awards being given today to Dr. C. H. Li and Dr. Joseph Smadel also are far from the last they will receive from their fellows.

I have often defined research as the distance we must travel between the problem and the answer. The Lasker awards for basic medical and clinical research are both a measure of the great distance we already have traveled and the greater distance there is still to go.

The deeper we probe the human structure the more clearly we realize that here is a cosmos as hidden and challenging as anything in the universe. Man himself is a scientific frontier—perhaps the greatest—and he is worth at least an equal expenditure of those talents and skills that we contribute to other scientific endeavors.

Indeed, there is much in common between the physical sciences and the science of man. It is through our explorations of the natural universe that we are given the opportunity better to understand the workings of man himself. We see affinities, parallels, and common origins. The atom and the molecule yield to similar approaches. Principles, techniques and instruments developed to penetrate the physical cosmos in many instances offer comparable opportunities for the cosmos of man.

My own field, electronics, offers striking examples of the support the physical sciences can bring to the study of human life and health. Indeed, without such support it would have been impossible for medical research to advance to its present level of progress and promise. The laboratories of Dr. Li and Dr. Smadel, I am certain, have complexes of electronic equipment which have become basic to their studies.

The maximum in present-day analysis of the invisible, for example, is the electron microscope and now the ultraviolet color television microscope. It was the electron microscope that first enabled biologists and medical researchers to view viruses and to study their structure.

I am told, incidentally, that Dr. Smadel was among the earliest visitors to the RCA research facilities in Camden when we were developing the electron microscope in this country some 20 years ago.

Another advanced method of electronically detecting the invisible, which is pertinent today, is the X-ray diffraction technique used by Dr. Wilkins, the Lasker and Nobel laureate, to determine the structure of the DNA molecule—the substance of heredity.

In other areas of medical research there are electronic instruments for instantaneous blood count, the measurement of blood viscosity, the detection of diseased body cells. Ultrasound is being used to explore the softer tissues of the human structure, supplementing and in some cases going far beyond the capabilities of the X-ray. We are just beginning to investigate the potentialities of highly concentrated and controlled light in the form of laser beams.

These examples of the bridge that exists between electronics and medical research can be broadened to include electronics instruments which have been developed for diagnosis and therapy, and the extension of electronics as a tool for medical education. But the important point is that we have scarcely begun to exploit the total potential of electronics to detect, amplify, measure, analyze, correlate, communicate, control, and prognose the manifestations of the human organism.

One major reason for this is that a serious gap exists between the science of electronics and medical research. It exists, in the first instance, because of differences in the language of the two specializations. More profoundly, it exists because neither field sufficiently comprehends what the other needs or has to offer.

We see everywhere today examples of the promise held out in a closer union of electronics and medical research. We in electronics are building devices which possess a compactness, sensitivity, speed, and reliability unimagined only a few years ago, and which have broad possible application for medical use. We can operate instruments outside and within the body by radio pulse. Through electronics we can stimulate some physiological actions and substitute for others.

A further advance is the radio pill, developed jointly by the Rockefeller Institute, the New York Veterans' Administration Hospital, and RCA. It is a completely miniaturized broadcasting station, about 1 inch in length and two-fifths of an inch in diameter, made to be swallowed and then to transmit signals on the condition of the internal organs through which it passes.

Several hundred cardiac cases are alive and active today because their heartbeat is maintained by electronic devices—pacemakers—implanted in the body. Smaller than the hand, weighing less than 10 ounces and capable of operating indefinitely, they deliver a one-thousandth-of-a-second

pulse to the heart muscle every second to stimulate and regulate the pumping action.

We can foresee the day when devices like these will operate other human organs—the lungs, for example, or kidneys—whose functions have become impaired. It is within probability that there will be complete electronic substitutes for wornout or otherwise useless human organs. Missing legs, arms or hands also may find effective replacement through electronically controlled prosthetic devices operated by the body muscles.

We have read of the tiny sensing instruments attached to the bodies of astronauts which telemeter continuous reports on body temperature, respiration, heartbeat, blood pressure and the like. They can detect subtle changes in physical condition, amplify and transmit them for analysis by specialists on earth. These changes may happen well before the astronaut himself is aware of them, and in time for physicians on the ground to advise corrective action.

Today we are investigating the possibility of electronically controlled drug-containing devices which also can be attached to some portion of the spaceman's body. Upon signal from earth, or perhaps action by the astronaut upon instruction, these automatically will inject the drug into the body.

Thus we have means for remote radio monitoring of bodily conditions and conceivably remote control of emergency treatment. In fact, the Air Force may soon test an instrument, about the size of a cigarette pack, to be worn by ambulatory cardiac patients.

As they stroll through the hospital, it will broadcast continuously to a central nursing station. Should the patient be on the verge of a significant change in heart condition, the receiver will not only give warning but also indicate the location of the patient at the moment.

So we can foresee the time when all cardiac and diabetic cases, and others subject to unexpected attack, will carry similar devices as they go about their business. In the event of significant body change or impending attack, the sensing transmitter would flash not only a warning signal to a central control board and the code number of the wearer, but also alert the patient himself. He could then take emergency preventive measures before complete medical aid arrived on the scene.

We can electronically activate certain senses such as sight or touch whose nerve endings have atrophied or become impaired. It is possible now, for example, to talk without a larynx by means of an electronic speaking aid placed in the throat. We are working on guidance devices for the blind, using ranging and proximity techniques—a form of radar—to define distance, position, and dimension of objects.

Stimulation of different areas of the brain surface can cause the recall of long forgotten or dimly evoked memories. None of us ever employ more than a minute fraction of the images, impressions and knowledge we have gathered in the course of a lifetime. What a fantastic increase in our mental powers there might be if we could stimulate total recall and total knowledge.

With so many opportunities at hand or on the horizon for electronic contributions to medical research, it is essential that we take steps to bring the two sciences into a closer working bond. If we do, I believe electronics can be the single most important instrument in the arsenal of medical research in the years that lie ahead.

One immediate contribution of electronics, which could extend knowledge of current trends in all areas of medical research, would be the proper medical employment of a basic tool of electronics, the computer.

Every medical researcher, every physician, every clinic and hospital, struggles today with mountains of data requiring classification, analysis and storage for immediate retrieval. More and more of that burden can be shifted to modern electronic data processing equipment, with tremendous economies in time and gains in precision. Electronic performance provides in seconds, the kind of statistical and probability findings that, with conventional methods, take days or even weeks of onerous work.

No single requirement is more fundamental to the research scientist than knowing what has been done in his immediate area and in related areas. Lacking this knowledge, he can grope aimlessly, duplicating the work of others to a wasteful extent. In industry, such duplication costs an estimated billion dollars a year, and the toll is comparable in other fields.

Medical knowledge, including awareness of pertinent electronics developments, is increasing so rapidly that it has far outstripped the storage capacity of any single human brain. But computers enable us to store accumulated knowledge compactly, update it continuously, recall it instantly.

Through a blend of electronic computation and communication techniques, it would be possible to establish a national medical clearinghouse which could serve as a central repository for all the latest medical information. By a combination of communications circuits, every major research center, hospital and medical school in the country could be tied into this clearinghouse.

The planning of such an ambitious project, plus the exploration of other means of collaboration between our professions, calls for the creation of appropriate machinery to achieve permanent liaison between medical and electronics groups. At the same time, it poses an opportunity for a joint evaluation of the means of broadening financial support for medical research in view of our advancing technology.

In terms of dollars, when we contrast the scope of our current medical research effort to what we spend on other essential national activities, we are the gnat compared to the elephant.

In the fiscal year 1962, the Federal Government allocated $677 million through the National Institutes of Health to defend us against crippling and killing diseases, as compared with $2.8 billion for our farm price-support and related programs.

It allocated only $102 million to defend us against cancer, the cause of approximately one death every 2 minutes, compared with $158 million for agricultural research, including the health of cattle and pigs.

It allocated $93 million for research against all heart diseases, America's No. 1 killer, compared with $3.5 billion for the improvement of roads and highways.

These comparisons, and many others, are not intended to suggest that we reduce by a single penny our essential expenditures in any area of the national welfare and security. They are intended to suggest that in the protection of our most vital national resource—the lives and health of our citizens—we have been shortsighted indeed. And not merely shortsighted but wasteful, for the annual cost of illness to this country is some $35 billion, and we have lost as much as 600 million days of work in 1 year alone through illness or injury.

I would recall to you the words of Benjamin Disraeli, who said: "The health of the people is really the foundation upon which all their happiness and all their powers as a state depend."

Of course, tremendous progress has been made in the field of health through the efforts of Government and private research institutions, organizations such as the Albert and Mary Lasker Foundation, and the work of such scientists as Dr. Li and Dr. Smadel.

Over the past 18 years in this country, we have all but wiped out tuberculosis and polio, infant and maternal death, acute rheumatic fever, and greatly reduced the death rate of others. Since 1944, medical research has saved over 2,200,000 lives, enough to populate a city the size of Philadelphia.

But far more remains to be accomplished—in the battle against cancer, arteriosclerosis of the heart, the viral diseases, and a host of other disablers and killers. We must muster the resources of Government, industry, research, the medical profession, foundations, and the general public on a scale that dwarfs our present effort.

So the distance between problem and answer is still great. But we will conquer it, so long as we have devoted people like my good friend, Mary Lasker, to give direction to this great crusade, and scientists like Dr. Li and Dr. Smadel to give it meaning.

GASOLINE PRICE WAR

Mr. HUMPHREY. Mr. President, I call to the attention of the Senate an article entitled "Supreme Court Says Sun Oil Broke Law in Giving Dealer a Discount in Price War," which appeared in the Wall Street Journal of January 15, 1963. This article reports a Supreme Court decision in the case of the Federal Trade Commission, petitioner, against Sun Oil Co.

In 1956 my Subcommittee on Retailing, Distribution and Fair Trade Practices held hearings into the New Jersey price war involving independent gasoline station operators. As a result of these hearings the Federal Trade Commission reviewed the entire situation in light of its previous policy, and adopted a new construction of section 2(b) of the Robinson-Patman Act. This new policy stated clearly that a good-faith defense was limited to cases involving primary competition and did not extend to secondary competition. The Federal Trade Commission next proceeded against the Sun Oil Co. on the basis of facts involved in the Jacksonville, Fla., price war.

I was pleased to learn from this article that the Supreme Court on Tuesday, I believe, affirmed the legal position of the Federal Trade Commission. This article reports the opinion in detail. Independent gasoline dealers are indeed heartened by this decision, and I am sure it will go a long way in curbing gasoline price wars which have constituted such a financial disaster to so many independent dealers.

I ask unanimous consent that the text of the article to which I have referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SUPREME COURT SAYS SUN OIL BROKE LAW IN GIVING DEALER A DISCOUNT IN PRICE WAR

The Supreme Court closed a door through which a major oil company had attempted to help a franchised dealer survive a gasoline price war.

In a unanimous decision, the High Court ruled that, under the Robinson-Patman Act, oil companies—the suppliers—could cut prices selectively only if their own competitors, not their dealers' competitors, cut prices.

The decision prohibits an oil company from cutting its price to a franchised dealer threatened by the price cutting of an independent nonaffiliated gasoline retailer on the theory that the independent didn't receive a special price cut from a supplier.

The Court didn't decide, however, whether price cutting by the supplier is permissible

when the price-cutting retail station either is owned by a major oil company in competition with the supplier or has received a supplier's price concession to permit the retail price reduction.

The decision interprets the Robinson-Patman Act which requires a seller to treat all dealers in a given market alike. But the law permits price discrimination if the seller can show that his price reductions were made in good faith to meet an equally low price of a competitor.

Writing for the Supreme Court, Justice Goldberg said the Robinson-Patman Act "contemplates that the lower price which may be met by one who would discriminate must be the lower price of his own competitor."

The issue was brought to a test by Sun Oil Co., which relied on the meeting-of-competition defense in a Federal Trade Commission case stemming from a price war in Jacksonville, Fla. Price cuts in the summer of 1955 by Super Test Oil Co., an independent retail chain, at its Jacksonville station drew substantial business away from a Sunoco station run by Gilbert McLean. At Mr. McLean's urgent request, Sun granted him price concessions to help meet this competition from the independent station.

The FTC charged this was a violation of law because Sun hadn't for a period of almost 2 months offered similar price reductions to its other dealers in the Jacksonville area. The FTC denied the "meeting competition" defense on the ground that it permits discriminatory price cutting only to counter the tactics of direct competitors; that is, suppliers versus suppliers, retailers versus retailers. The Super Test station in Jacksonville wasn't in direct competition with Sun and therefore the defense was unavailable, FTC said.

The Fifth Circuit Court of Appeals disagreed, but the Supreme Court sided with FTC.

"Since there is in this record no evidence of any such price having been set, or offered to anyone, by any competitor of Sun," Justice Goldberg said, "Sun's claim to the benefit of the good-faith meeting of competition defense must fail."

Mr. Goldberg noted Sun chose to distribute its gasoline through independent, franchised dealers rather than through a company-owned system of outlets. "Having consciously chosen not to effect direct distribution through wholly owned and operated stations," he said, "Sun cannot now claim for itself the benefits of such a system and seek to inject itself as a supplier into what on this record appears as a struggle wholly between retailers, when such interference favors one of Sun's competitors at the expense of others."

"To allow a supplier to intervene and grant discriminatory price concessions designed to enable its customer to meet the lower price of a retail competitor who is unaided by his supplier would discourage rather than promote competition," Justice Goldberg said.

"We see no reason," he said, "to permit Sun discriminatorily to pit its greater strength at the supplier level against Super Test, which so far as appears from the record, is able to sell its gasoline at a lower price simply because it is a more efficient merchandiser, particularly when Super Test's challenge as an independent may be the only meaningful source of price competition offered the major oil companies, of which Sun is one."

In a footnote, Mr. Goldberg said the record isn't crystal clear on whether Super Test did in fact receive a price concession from a major oil company supplier to enable it to cut its price initially. If Sun can offer such evidence, he said, it may ask the FTC to reopen the case.

Justices Harlan and Stewart, while agreeing that Sun had failed on the record to sustain its defense, said the case ought to have been sent back to the Trade Commission to clarify the record on this point.

Sun Oil and other major gasoline distributors withheld comment on the decision pending a detailed study of its implications. Some major oil companies, however, suggested the High Court left unanswered some basic questions.

Spokesmen for some gasoline retailer groups lauded the decision as a great aid in stopping dealer price wars.

A number of oil companies suggested the decision left unanswered some basic questions. One specific area of uncertainty: How big is a marketing area; how large an area must be covered by discounts for an oil wholesaler to avoid being prosecuted under the Robinson-Patman Act for offering special prices to special customers?

The president of a major southwestern oil refinery said the decision "could conceivably lead to a change in the entire method of distribution" if trade areas are defined to be something larger than neighborhoods. Oil companies, he said, might well hire their dealers as sales agents and set prices themselves, paying the dealer a commission on sales. Most dealers currently are independent franchised operators.

EDITORIAL SUPPORT FOR YOUTH EMPLOYMENT ACT

Mr. HUMPHREY. Mr. President, I am pleased to see that my youth employment bill—S. 1 in the 88th Congress—was again supported on the editorial pages of the Washington Post and Times Herald this morning.

The editorial noted that President Kennedy's proposal to create a so-called domestic Peace Corps or National Service Corps—as noted in his state of the Union message—was "similar and supplementary" to my proposal to establish a Youth Conservation Corps and a local area youth employment program. The editorial went on to say:

> Both are urgently needed for the work they can do and for the regenerative opportunities they can afford the desperate and idle youth they would enlist.

I fully agree with this statement. Both are urgently needed.

However, I would like to take several moments to clarify the differences and the similarities between the proposals contained in S. 1 and the related concept of a National Service Corps.

First, I believe it is essential to recognize that S. 1, the youth employment bill, carries with it the full approval of the White House and the Bureau of the Budget. This bill has been cleared down to the last comma with the administration. This is the administration's bill relating to the problem of youth unemployment. It is the first bill of the 88th Congress to receive such White House endorsement.

The President is also considering sending to Congress a proposal to establish a National Service Corps, the so-called domestic Peace Corps. A Presidential task force, under the chairmanship of the Attorney General, has been considering the feasibility of such a corps and the final report is scheduled to be sent to the President in the next few days.

From the interim reports I have received, I believe the proposal to establish a National Service Corps should receive the support of every Member of Congress. I understand such a corps plans to attack a few critical domestic problems.

Men and resources will be concentrated to achieve maximum effect in these several projects. I believe this represents good commonsense. I compliment the task force on its outstanding job and I look forward to reading their final report.

The Youth Employment Act deals with the most serious social and economic problem currently facing this country, namely, the problem of youth unemployment.

The problem of youth unemployment cuts into the very fabric that binds our society together. Once again to quote from this morning's Post editorial:

> These young people, in many instances alienated from the community by disadvantagement in childhood, cut off from the hope of economic advancement by inadequate education, rebellious without aim or reason and dangerous because of their sheer unharnessed energy, constitute what Dr. James B. Conant has aptly called social dynamite. An intelligent investment in these young people can convert them into an invaluable social asset.

Unfortunately the Washington community had a shocking demonstration on the consequences of this social dynamite last Thanksgiving Day. The disturbances that occurred during and after the high school championship football game at D.C. Stadium were caused by exactly the type of youth described in the Post editorial. These are the school dropouts, untrained, unskilled, out of work, and out of hope, and out looking for trouble. As this football game demonstrated, they usually find what they are looking for.

I would like to quote from the report to the superintendent of schools from the Special Committee on Group Activities—the MacCarthy committee—that investigated the Thanksgiving Day riot. On page 26 the committee recommends:

> A Youth Conservation Corps or some similar program should be established for the District of Columbia. The program should give priority consideration to applications of dropouts. The activity should also be geared to providing training and experiences which will improve employment prospects and facilitate adjustment of the recruits upon their return to civilian life.

As I indicated in my statement accompanying the introduction of S. 1, the fundamental objective of the Youth Employment Act is to provide just such a work and training experience coupled with professional job counseling and job placement.

The actual costs associated with such outbreaks as occurred on Thanksgiving Day are impossible to calculate. How can the grief and suffering that results be translated into dollars and cents? But we can translate into dollars and cents the costs of relief, unemployment insurance, police protection, maintenance in reformatories or jails, and related expenses growing out of youth unemployment. For those constantly concerned with the dark specter of spending, the figures are there and I intend to supply them in the coming weeks.

Therefore, I am gratified by the full support and approval granted S. 1 by

the administration and by the growing number of cosponsors here in the Senate; at last count 35 Senators have joined with me.

I believe the entire country has now realized that we cannot afford further procrastination in relation to youth unemployment. I certainly welcome this realization.

Mr. President, I ask unanimous consent that the Post editorial titled "Investing in Youth," and another editorial titled "HUMPHREY'S Plan To Save Trees, Land, Boys" from the Daily Journal, of International Falls, Minn., be printed in the RECORD at this point.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Jan. 17, 1963]

INVESTING IN YOUTH

"We need to strengthen our Nation," President Kennedy said, "by investing in our youth." This seems so indisputably sound, whether viewed in terms of economics, social justice, or national security, that no argument needs to be adduced in support of it. The only questions that can arise concerning it are questions of means and method.

For the million or more young Americans who are out of school and also out of work, the President in his state of the Union message, proposed the creation of a domestic Peace Corps or youth corps "serving our own community needs: in mental hospitals, on Indian reservations, in centers for the aged or for young delinquents, in schools for the illiterate or the handicapped."

The President's idea is similar and supplementary to a proposal introduced in the last Congress by Senator HUBERT HUMPHREY. Both are urgently needed for the work they can do and for the regenerative opportunities they can afford the desperate and idle youth they would enlist. These young people, in many instances alienated from the community by disadvantagement in childhood, cut off from the hope of economic advancement by inadequate education, rebellious without aim or reason and dangerous because of their sheer unharnessed energy, constitute what Dr. James B. Conant has aptly called social dynamite. An intelligent investment in these young people can convert them into an invaluable social asset.

[From the International Falls (Minn.) Daily Journal, Jan. 14, 1963]

HUMPHREY'S PLAN TO SAVE TREES, LAND, BOYS

Minnesota's Senator HUBERT HUMPHREY has introduced into the Senate a Youth Employment Act deserving of thoughful and vigorous support that should rise above the hue and cry of partisan politics.

HUMPHREY'S bill is an up-to-date version of a New Deal program—the Civilian Conservation Corps. The fact that it is a new version of a New Deal measure may give rise to political opposition, but it should be remembered that the old CCC was a Rooseveltian idea that nearly everybody applauded. It did yield a handsome profit for every American: public works that are still useful and effective throughout the country.

But more important than the public works of the old CCC which still abound in the land, are the boys it saved, along with the trees and land that were benefited by their work.

The theory back of the CCC which came into being back in 1933 was simple—this country had a lot of young men out of work. Outdoor work was good for them, therefore, let's get the boys out into the woods.

Within a year, CCC enrollment hit its average of 300,000. Until the early 1940's CCC boys were working in nearly 2,600 camps in State and National parks and forests. Millions of acres of land were transformed by reforestation, stripcropping, forest fire control, and gully stabilization.

But what happened to the boys themselves was most important. They put on weight. They grew taller. Many had dental and medical care that had been neglected. They developed skills and got specialized vocational training—truck driving, maintenance of machinery, building trades skills.

World War II meant the end of the CCC. But in its 9 years it accomplished much. The teams of boys planted nearly 3 billion trees, built more than 150,000 miles of trails and firelanes. They strung 85,000 miles of new telephone lines and put up 4,000 fire towers, 45,000 bridges, and thousands of buildings.

Senator HUMPHREY is convinced that this country must again provide a similar kind of opportunity for creative work on the land. His plan is good. His Youth Employment Act would constructively channel those restless energies that today are leading many underprivileged boys, and those who honestly cannot find work, in the direction of delinquency and violence.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may proceed for an additional 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

LAND REFORM IN MEXICO

Mr. HUMPHREY. Mr. President, an Associated Press story from Mexico on January 15 reported the plans of President Adolfo Lopez Mateos to complete the distribution of all remaining big tracts of tillable land in Mexico to landless rural families before the end of his term of office in December of 1964. I ask unanimous consent that the text of the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAND PLAN ANNOUNCED IN MEXICO

SAN JOSE ITURBIDE, MEXICO, January 15.—President Adolfo Lopez Mateos plans to complete the distribution of all remaining big tracts of tillable land in Mexico to landless campesinos before his term ends in December, 1964.

Roberto Barrios, head of the Agrarian Department, today announced a seven-point plan to fulfill the President's agrarian reform plans.

1. There will be no latifundiums or big agrarian properties left in Mexico. By the time Lopez Mateos goes out of office all useable lands will be distributed among landless campesinos.

2. An army of surveyors is already surveying lands to be distributed in the near future.

3. The campesinos will be taught modern cultivation techniques.

4. Cattle raising is to be encouraged on small tracts of land, and natural grasslands will be reduced by the use of artificial prairies and fodder.

5. Agrarian grants made in the past will be revised, and those failing to meet legal requirements will be revoked.

6. Small and communal agricultural properties will continue to have official support and will be respected.

7. State Governors are to endorse the requests of the landless campesinos in accordance with the constitution.

Mr. HUMPHREY. I had the privilege, Mr. President, of addressing the Senate of Mexico on the subject of agricultural development in Mexico early in December. At the same time I had the opportunity of discussing what I felt to be a need for an accelerated program of agricultural credit, cooperative development, and improved rural housing and transportation with President Lopez Mateos, the management of the Bank of Mexico, and the Minister of Agriculture.

While I complimented the Mexican leadership on the truly outstanding progress made in many areas of life in Mexico, I attempted to emphasize what I felt to be a lack of emphasis throughout Latin America as yet on agricultural development and the general improvement of conditions among the campesinos of Latin America.

Earlier this month there were reported alarming stories of violence and deep agricultural unrest in parts of Mexico, confirming the need to take dramatic steps to improve the conditions in rural Mexico.

The Mexicans are proud, energetic, and thoroughly competent people. They recognize, however, that their sister Republic to the north, the United States, has a special place in the world in terms of the success of our agriculture, and the Mexicans are willing and eager to join with us in the Alianza Para el Progreso to strengthen, in particular, the Mexican rural economy.

A loan is presently pending amounting to some $20 million for supervised agricultural credit to Mexican farm families, to be administered through the Bank of Mexico, with the cooperation of our AID mission in Mexico.

The details of this loan are being discussed at the top levels of the Agency for International Development at this time, and I would surely urge that every effort be made within the Agency to expedite action upon this important program.

No one understands more clearly the role of adequate agricultural credit than does a representative from a rural area. A farm cannot be successfully operated without credit. No rural development program, no program of land redistribution, can possibly succeed without an accompanying program of supervised agricultural credit, and I firmly believe where rural land units are small, it is impossible to succeed in a land reform program without the growth of purchasing, marketing, and distribution cooperatives.

Mr. President, I trust that the Agency for International Development is doing everything within its power to demonstrate to the Mexican authorities the value and the necessity of the development of a true farmer-owned and controlled system of cooperatives in rural Mexico.

We in the United States have a vital stake in the success of Mexican agriculture, for only upon success in the great areas of rural Mexico can the whole Mexican economy expect to grow and mature at the rate which it must if the people of Mexico are to enjoy the high standard of living and the political stability which they so richly deserve.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF RULE XXII—CLOTURE

The PRESIDING OFFICER (Mr. SIMPSON in the chair). Is there further morning business? If not, morning business is closed.

The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico, that the Senate proceed to the consideration of Senate Resolution 9, to amend the cloture rule of the Senate.

Mr. HILL. Mr. President, I hope that Senators on both sides of the aisle are fully aware of the importance of the historic concept of the Senate as a continuing body.

On last Tuesday the Senate had the great opportunity of listening to the junior Senator from Virginia [Mr. ROBERTSON] make one of the ablest and most eloquent and most masterful addresses in this body that I have heard in my long years as a Member of the Senate.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ROBERTSON. I wish to express my deep appreciation for that high tribute. I welcome this opportunity to congratulate the people of Alabama on having in Congress for nearly 30 years a man who has never wavered in his support of States rights and of constitutional liberty.

Mr. HILL. I thank my good friend from Virginia for his most gracious expression and his kind and generous words.

I hope that every Member of the Senate is in accord with the fact that the concept of the Senate as a continuing body is a matter of constitutional law and historic Senate precedent, and that it is a matter of basic, fundamental, and paramount importance to our entire system of government.

Let me say, without any sense of exaggeration, that acceptance of the abrupt departure from our established parliamentary procedure, suggested by the proponents of these motions, which deny that the Senate is a continuing body, might well shake the very foundations of democracy in America as we and our forebears have known it these many years. Such a change forced upon us would take away a major historic protection of Senators in the minority, kindle the animosity of section against section, and mark the beginning of the end of State protection in the Senate at a time when our States and our people need more not less voice in the affairs of the Nation.

The House of Representatives is not a continuing body. For this reason a permanent and continuing Senate is uniquely equipped to act as a stabilizing influence upon the Federal Government. Indeed, a continuing Senate is the natural guardian of representative democracy, the spokesman of minorities of every description, and the consistent champion of the individual States and the rights of the people in those States.

Mr. President, that is precisely why the Constitution established the Senate as a continuing body. That is why the Senate has operated as a continuing body throughout its entire history of some 174 years. That is why no general revision of established parliamentary practice in the Senate has ever been adopted at the beginning of a new Congress. That is why two-thirds of the Members of the Senate continue in office from one Congress to another, and that is why the proposition has never been questioned except upon rare occasion and even then without the support of so much as a crumb of authority.

The concept itself finds its origin in the Constitution. Article 1, section 3 of the Constitution established the Senate as a continuing body. That article provides in part:

> The Senate of the United States shall be composed of two Senators from each State, elected * * * for 6 years, and each Senator shall have one vote.
>
> Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

Mr. President, the Senate was purposely designed as a continuing body smaller than the other branch and with members of longer tenure. That is clear. A reading of the language will show how clear it is. Each Senator has a 6-year term. A House Member has only a 2-year term. The terms of all Members of the House expire at the end of 2 years. In this body, two-thirds of the Senators continue in their service; the terms of only one-third expire at the end of any 2-year period.

Does not the provision of the Constitution which I just quoted evidence the clear intention of the Founding Fathers that the Senate be a continuing body, that two-thirds of the Members of the Senate shall continue in office from one Congress to another. The Senate was designed to secure mature deliberation in depth. Hamilton describes this purpose in No. 62 of the Federalist. Hamilton wrote:

> The necessity of a Senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions. * * * All that need be remarked is, that a body which is to correct this infirmity, ought itself to be free from it, and consequently be less numerous. It ought moreover to possess great firmness, and consequently ought to hold its authority by a tenure of considerable duration.

Mr. President, John Jay described the original design of the Senate as a body of orderly succession and uniformity in these words from No. 64 of the Federalist:

> It was wise, therefore, in the convention to provide, not only that the power of making treaties should be committed to able and honest men, but also that they should continue in place a sufficient time to become perfectly acquainted with our national concerns, and to form and introduce a system for the management of them * * *. Nor has the convention discovered less prudence in providing for the frequent election of Senators in such a way, as to obviate the inconvenience of periodically transferring those great affairs to new men, for by leaving a considerable residue of the old ones in place, uniformity and order, as well as a constant succession of official information, will be preserved.

If the Founding Fathers were wise in providing, when the Federal Constitution was written in 1787, that the Senate should be a continuing body, and foresaw the wisdom of providing, to some degree at least, with respect to treaties entered into by our country, that Senators be continuously available, who are knowledgeable and who have the information and experience to consider and act properly upon treaties, how much truer is it today, when we live in one world, and when treaties are sent to the Senate, from time to time, the operations of which confront us in our daily lives in a way never dreamed of in 1787? How much truer today is the necessity to have those safeguards for the wise, thorough, and knowledgeable consideration of treaties?

Mr. ROBERTSON. Mr. President, will the Senator from Alabama yield for a question?

Mr. HILL. I yield to the distinguished Senator from Virginia.

Mr. ROBERTSON. I am sure the Senator has read the statement made by Mr. Khrushchev in East Berlin yesterday, and also his speech later, in which he said that the Soviet Union has developed a 100-megaton bomb, but that they dare not drop it on Western Europe because it would be so destructive that it would destroy many of the Russian satellite nations. He said that if there were a war, such a bomb would have to be dropped on some faraway nation. But then he went on to say that the United States had, perhaps, several thousand atomic bombs. He said that the Soviet Union had enough for its own defense, but that if the Soviet Union started to use them, 800 or 900 million people would be destroyed in the first day.

The Senator from Alabama has made the point that long before what have been called the horse and buggy days, the Founding Fathers, in their wisdom, thought it desirable to establish one branch of Congress having continuous tenure; a branch which could in an

emergency be called into special session to legislate, even if both Houses had previously adjourned sine die. Is it not much more important now, if a great emergency should develop, that the President, if he wants only Senate action, may call the Senate into session overnight?

Mr. HILL. The Senator from Virginia is absolutely correct. Since the Senator has addressed himself to this subject, I could not help recalling that at the end of World War II President Roosevelt asked the late Mr. Wendell Willkie to make a trip around the world and then to report upon the conditions he found in the different countries. When Mr. Willkie returned, he wrote a book describing his trip and the conditions he found throughout the world. He entitled his book "One World."

Whether we like it or do not like it, we now find ourselves in one world. All the treaties which the Senate must consider bear directly on the essential fact of our being in one world, and that something which a nation overseas might do today might vitally affect not only our national interest, but also the security and even the lives of our people.

So if it was important to have a continuing Senate in 1787, when the Founding Fathers wrote the Constitution, it is even more important and vital today.

Mr. ROBERTSON. The Senator from Alabama has pointed out how beyond any question the Constitution created the Senate as a continuing body. I have been observing the debate since it started last Tuesday, and I have not heard any challenge of the fact that the Senate is a continuing body.

Is it not true that from the first day of the institution of the Senate back in 1789 and down to the present time, there has been an unbroken acceptance of the constitutional fact that the Senate is a continuing body?

Mr. HILL. What the Senator from Virginia says is absolutely correct. For 174 years it has been an accepted fact; and I may say that since the Senate really began to function at this session, on Monday of this week, for the last 5 days the Senate has operated—not once, but a number of times—under the existing rules of the Senate.

Mr. ROBERTSON. That point brings up another question. There can be no doubt about the fact that the Senate has been operating under its rules as a continuing body. Therefore, I wish to ask this question: If the rules of the Senate, a continuing body, are carried forward from session to session, are all the rules carried forward; or are only some of the rules carried forward, if some Senator says, "I do not like one of the rules"?

Mr. HILL. Of course, the Senator from Virginia knows that all the rules of the Senate are carried forward from session to session; there can be no exception. Every rule of the Senate carries forward with each succeeding session, of course. If some Member of the Senate does not like a particular rule, that does not mean that when the next session begins, that particular rule is null and void, and passes out of the rules of the Senate.

Mr. ROBERTSON. Of course.

Mr. HILL. In short, there is an orderly procedure in connection with the rules of the Senate—just as there is in connection with the rules of any other body; and if a Senator wishes to change one of the rules, he can submit a proposal to change it—whether that be a rule affecting a matter involving millions of dollars or a rule affecting only a small claim, involving a few dollars.

Mr. ROBERTSON. Does not the Senate have the right and the privilege to change its rules?

Mr. HILL. Of course it does.

Mr. ROBERTSON. Can that right of the Senate be exercised by any other body?

Mr. HILL. No.

Mr. ROBERTSON. Can that right be taken away from the Senate?

Mr. HILL. No, except through an amendment to the Constitution of the United States.

Mr. ROBERTSON. Then the Senate is a continuing body; it has rules, all of which come forward from session to session, if any come forward; we have acted under the Constitution to fix those rules; and those rules provide that if there is a desire by Senators to amend them, a certain procedure shall be followed. Is not all that clear?

Mr. HILL. Certainly it is—so clear that he who runs can read it and can understand it. There is no question about it, and there can be no question about it.

Mr. ROBERTSON. And is not that as much an important part of constitutional liberty under our system as it is of States rights?

Mr. HILL. Of course it is. When we plead States rights, we plead the individual liberties of the people within the States. In fact, the plea is that the rights of the individuals within the States and the liberties of the individuals within the States shall be protected and preserved.

Mr. President, as the notes of the Constitutional Convention clearly indicate, the conclusion is unmistakable that the Senate was designed for the express purpose of introducing continuity and parliamentary stability into our system of government. Any other view of the Senate is at war with its fundamental purpose. As the distinguished Senator from Virginia has pointed out, no Senator has been able to cite a single instance, example, or article of any kind or description contrary to this view.

Mr. President, what else can explain the fact that—almost without exception—the Senate has been regarded as a continuing body by its Members and by students of its history and functions? As long ago as 1841, Senator Allen, of Ohio, vigorously denied the assertion that the Senate begins anew with each new session of Congress. Senator Allen denied with these words the assertion that the Senate of 1841 was a new Senate:

> They might as well speak of a new Supreme Court as of a new Senate. There was a new House of Representatives because the entire House expired at the expiration of the second year and because the 4th of March terminated the life of that body. But not so the Senate. The Constitution replenishes that body every 2 years by the election of a class of Senators, and thereby gives eternity to the duration of the body. There was no new, nor was there any old, Senate.

Mr. President, I submit that Senator Allen's analogy is entirely appropriate. Although from time to time there is a complete turnover in the membership of both bodies, neither the Supreme Court nor the Senate ever begins life anew as an institution. They are continuing bodies, because they were so designed by the framers of the Constitution. As a necessary consequence, the rules and procedures of the Supreme Court and of the Senate continue from year to year, until changed in accordance with the established procedure.

As the distinguished Senator from Virginia and I have said, the continuity of the Senate has been well recognized over the 174 years since the Constitution came into being.

Senator James Buchanan, of New York, later President Buchanan, declared that the rules of the Senate continue from Congress to Congress. Senator Buchanan said:

> There can be no new Senate. This is the same body, constitutionally and in point of law, which assembled on the first day of its meeting in 1789. It has existed without intermission from that day until the present moment and will continue to exist as long as the Government shall endure. It is emphatically a permanent body. Its rules are permanent and are not adopted from Congress to Congress like those of the House of Representatives.

Mr. President, on this subject the authorities are virtually unanimous. George Haynes, a brilliant student of the history of the Senate, wrote in his book, "The Senate of the United States," that the first rules adopted by the Senate have continued in force, without change and without reaffirmation, until amended or abolished. Haynes wrote:

> Since in each Congress the House is newly elected, it has been held that the rules of the House in the preceding Congress cannot without specific adoption be held binding on the new House.
>
> The Senate, on the other hand, is a continuing body. It first effected its organization April 6, 1789, and there never since has been a time when the Senate as an organized body has not been available, at the President's summons or in accordance with the terms of its own adjournment, for the transaction of public business.

Mr. President, that was the point the Senator from Virginia [Mr. ROBERTSON] was emphasizing a few minutes ago—namely, that this body, which is a continuing body, is always available, at the call of the President of the United States, to consider any important treaty or any other matter which may be important or vital to the security of the country or to the security and defense of its people.

Mr. Haynes added:

> The first rules, adopted only 10 days after the Senate came into being, have continued in force without reaffirmation until amended or abolished by the Senate.

Mr. President, on March 7, 1917, Senator Thomas J. Walsh first questioned

the concept of the Senate as a continuing body. But he could cite no precedent or authority for the contention. Even Senator Walsh admitted that the rules of the Senate had always continued in force from session to session. He said:

It is undeniable that since the present Government of the United States assumed the direction of their destiny the rules in force at the close of any session of the Senate have governed its deliberations upon reassembling without any formal action readopting them, even though the last adjournment marked the demise of Congress.

Indeed, Mr. President, only on four occasions in the entire history of the Senate has the Senate promulgated a new or revised code of rules for the transaction of business. General revisions of the Senate rules were made in 1806, 1820, 1868, and 1884. Let me point out, however, that none of these general revisions of the Senate rules was adopted at the beginning of a new Congress; and each change was established in conformity with established parliamentary practice in the Senate.

Senator Walsh argued that the Senate is not a continuing body, because unpassed bills, unratified treaties, and unconfirmed appointments lapse at the end of each Congress. With due respect to the late Senator Walsh, Mr. President, it is my opinion that his argument is completely specious. There is no inconsistency between the lapse of pending business at the end of a Congress and the continuance in force and effect of duly enacted laws and resolutions. The standing rules of the Senate are the result of duly enacted resolutions of the Senate and they remain in full force and effect, as does a general law until duly amended or abolished.

Mr. President, the contention of Senator Walsh was never accepted by the Senate. His motion that the Senate adopt a new set of rules at the beginning of the special session of the 65th Congress never came to a vote. Quite to the contrary, the famous cloture amendment to rule XXII adopted that year constitutes an important precedent that the rules of the Senate continue unchanged until duly amended or abolished. Amendment of rule XXII at that session of Congress affirmed the fact that the rule had continued in effect since its adoption during a preceding session of Congress.

Mr. President, during the famous debate in 1949 concerning the rules of the Senate, the beloved Senator Walter F. George expressed his opinion that the Senate is a continuing body. Senator George said:

In my judgment the ordinary rules of parliamentary procedure do not and should not apply in the Senate of the United States. I know that the Senate is a legislative body in part. I know that it must handle legislative matters which come from the House, or which originate here and go to the House. But the Senate is a distinct institution within itself, a continuing body only one-third of the membership of the Senate being elected every 2 years. It is not a body which expires. Its primary function is not legislation in the strict sense. Its primary and main function, indeed, in certain important matters, partake of the nature of conference and negotiation between sovereignties.

Senators and others seem to forget the great importance of the Senate in the words in which the then Senator George expressed it. It partakes of the nature of conference and negotiation between sovereignties. For that reason our Founding Fathers provided that all treaties must be ratified by the Senate. They wanted the Senate to be a partaker in those conferences and negotiations. They even went further and provided that the treaties must be ratified by a two-thirds vote of the Senate.

I believe that it was at the beginning of the 83d Congress in 1953 the Senator from New Mexico [Mr. ANDERSON] first offered his motion to consider the adoption of new rules notwithstanding the existence of the Standing Rules of the Senate. The late Senator Taft, who was majority leader at that time, strongly opposed the Anderson motion which was later tabled as have been all subsequent motions of that nature. The great Senator Taft said:

It is vitally important to the Nation that the Senate be a continuing body. Let us consider the situation which will arise on the 20th of January, when new Cabinet officers are to take office. We must have Cabinet officers appointed as quickly as possible. We must have officials to operate the Government.

If we should become involved in a rules fight, the discussion could go on forever. In fact, I would venture to say that if there were a majority in the Senate who wished to adopt the procedure suggested by the Senator from New Mexico [Mr. ANDERSON], the discussion would proceed almost indefinitely; we would continue the debate for a month in order to break the filibuster that might develop under such circumstances. Therefore, I believe it is exceedingly unfortunate to raise a controversy regarding the rules at this time and contend that the Senate must begin all over again at the beginning of the session and confront all the uncertain and difficult questions that would arise under the circumstances.

I submit that those words came from the then majority leader of the Senate, Senator Taft. He stood at yonder desk, at that time bearing all the heavy responsibilities and burdens of the majority leader for an administration that had only then come into power. It had to function, to go forward with its programs, and to meet its duties, responsibilities, and obligations under the Constitution of the United States.

Mr. President, in 1959, at the opening of the 85th Congress, the then majority leader of the Senate, and now the Vice President, offered a resolution which provided among other things that:

The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in the rules.

During the debate on that resolution, the Senator from Montana [Mr. MANSFIELD], our present distinguished majority leader, stated:

As I have already made clear, I shall support the resolution of the distinguished majority leader Mr. JOHNSON, of Texas. That resolution as the Senate knows has two principal features. It seeks, first, to provide a rational way of avoiding an interminable wrangle over how to proceed each time a new Congress convenes. Second, it provides for cloture on the basis of a two-thirds vote of those present and voting.

The then majority leader of the Senate, Senator JOHNSON, now, as I have said, our distinguished Vice President, said in support of the resolution:

There is no mystery about the rules of the Senate. The rules of the Senate are intended to expedite the business of the Senate. They are intended to permit the Senate to help express its will.

In my judgment, rule XXII, as it stands at this moment, contains certain deficiencies. We can remedy these deficiencies. We are doing so in three respects.

First, we are clearly stating that we do have rules, instead of anarchy, and we are going to be guided by rules from one session to another.

Second, we are going to see that Senators must stand up and be counted; and, instead of having a constitutional two-thirds invoke cloture, require only two-thirds of those present and voting to invoke cloture. Therefore, Senators will have to stand up and be counted.

Third, we provide that cloture shall apply to all rule changes; and that meets the request and the argument made by so many people for so long—almost 10 years—that the weakness of the rule was that it did not apply to a change of the rules. So we are requesting that it shall apply to a change of the rules.

Mr. President, as we know, the resolution submitted by the majority leader in 1959 was passed by the Senate and Senate rule XXXII was amended by adding this language:

The rules of the Senate shall continue from one Congress to the next Congress unless they are changed as provided in these rules.

Those words I quote from the rules of the Senate. I do not see how anything could be any clearer. That amendment to rule XXXII was passed for the express purpose of avoiding just such a situation as we are in today, and have been in since the Senate met on the 9th of January. As the Senator from Montana [Mr. MANSFIELD] well said in 1959, the rule seeks to provide a rational way of avoiding an interminable wrangle over how to proceed each time a new Congress convenes.

Mr. President, I ask only that we follow the mandate of the Constitution that the Senate is a continuing body. We know that the Senate has operated as a continuing body throughout its entire history. We know that no general revision of established parliamentary practice in the Senate has ever been adopted at the beginning of a new Congress. We know that any motion which denies that the Senate is a continuing body flies into the very teeth of settled and accepted constitutional law and historic Senate precedent.

I ask only that we preserve the continuity, the integrity, the permanence, the influence, the respect, the order, and the innermost character of the Senate.

Mr. President, I should now like to turn my attention to the different proposals to change rule XXII, to provide that cloture may be invoked by a vote of less than two-thirds of the Senators present and voting.

I do not believe we will be called upon during this session of Congress to consider any matter which poses a greater

threat to our system of government than the proposal to change Senate rule XXII.

Adoption by the Senate of the proposed rule change would sound the death knell of the U.S. Senate as we have known it for these 174 years. I intend to express in the strongest possible terms my opposition to this proposed rule change which would pave the way for the deliberate destruction of what has been called the greatest deliberative body in the world.

Mr. President, in considering proposals for denying full debate in the Senate, we are not considering some simple matter of procedure in the Senate, some simple change of our rules. We are considering a proposed change in the Senate that would mean a fundamental and basic change in the Government of the United States as we have known that Government from the beginning down to the present.

The thing that I wish to emphasize with all the emphasis I can bring to bear is that if we deny free and unlimited debate in the Senate of the United States we have changed the character of the Senate of the United States. We cannot change the character of the Senate of the United States without changing the Government of the United States.

That is the true issue at stake in this matter. Are we going to change our Government, our constitutional Republic that we have had all these years and under which we have grown to be one of the greatest nations in the history of the world, and under which our people have enjoyed the greatest freedom ever known to mankind?

The right of a Senator to get on the floor of the Senate, to present all the facts in connection with an issue, to turn the light of truth and justice and fairness on that issue goes to the very heart of the freedoms of the people of these United States and to the protection not only of the freedom of the people and of the individual citizens but also to the protection of the rights of the several States, to the protection of the rights of minorities of every description.

It is suggested that this freedom of debate be cut off, be denied by simply a three-fifths vote in the Senate. It has even been suggested that it be denied by a majority vote in the Senate. The proponents of the measure before us are not content with the power to silence a third of the Senators in the U.S. Senate. Some are contending for the right to silence as many as 49 at one time. If they should silence as many as 40 Senators at one time, they might well silence the voices of from 20 to 40 States in the U.S. Senate.

It has been argued that it is necessary to have this power to gag so that a majority of the Senate may legislate for the benefit of the country. It is said they must have this power. It is said it is absolutely necessary in order to legislate for the people. It is said, "We have to have this power."

I can answer this specious argument simply by saying that a majority has been legislating for 174 years now, and I ask, Has anyone been able to suggest a single important or beneficent measure that has been killed because we have had free and unlimited debate in the Senate of the United States? Indeed, last year during the debate on the communication satellite bill, we saw proof that the Senate can, under the present rules, bring debate to an end in the face of determined opposition.

Since the Senate has had the present rule XXII, cloture petitions have been filed, as I recall, some 27 times, and only 5 times has the Senate seen fit to invoke that cloture. What reason have we today, what arguments have been presented, that would justify us in changing the character of the Senate, in changing our American constitutional Republic as we have known it?

The truth is, Mr. President, the situation in the Senate today is very materially different from what it was when the cloture rule of 1917 was adopted, due to the fact that since that time there has been adopted the 20th amendment to the Constitution, which put an end to what we knew as the "lame duck" session of Congress. As we know, before the "lame duck" amendment, the second session of Congress began on the first Monday in December. Usually there was about a 2-week recess for Christmas, and then at midnight on March 4 that session of Congress died. It died under the Constitution.

That is not true today. Congress does not die, except perhaps at the end of the year under the Constitution. It can go on in session from one Congress to the next, without any hiatus, without any recess, without any adjournment. That was not true before the "lame duck" amendment. Senators could kill a bill in the closing days of the session because they knew when midnight arrived on a specific night, even if the clocks were jockeyed with a little bit, finally it would have to be admitted it was midnight, and at midnight the Congress would be dead under the Constitution. That situation does not exist at all.

I have often thought, and I am persuaded and am sure in fact, it was that situation which brought about the adoption of rule XXII. Legislation would jam up at end of a period of less than 3 months. Congress would die, and that was the end of it.

That situation does not exist at all today, because March 4 does not mean any more than May 4 or July 4 or any other fourth day of a month. The Congress can and does continue. The Congress in the last session, as I recall, went to the 13th of October. It could have gone right into the new session, I think, if that had been the wish.

Mr. President, I have heard of no bill or measure that has gone down that should have been passed. I have not found anyone who could name one single measure, one single bill, that should have passed which failed to pass because of the free debate in this body. Free debate has brought about some delays, that is true, and I would be the last to deny that there have been some abuses. But, as long as human nature is human nature, and we are not perfect, we will have abuses. Fortunate to say, the record shows there have been very few of them. However, the question is not whether we have ever had any abuses; to the contrary, the question before us is whether or not the benefits of free debate so far outweigh its occasional abuse that we should dare tamper with this priceless right which, more than any other, characterizes the U.S. Senate.

We know the conscientiousness, the sense of responsibility, the devotion to duty that always triumphs among the membership of the Senate of the United States. Our country is not great because of the number of its laws and prohibitions. Our country is great because of the character of its people and the character of the men who represent our people in its government.

(At this point Mr. INOUYE took the chair.)

Mr. HILL. Under the free and unlimited debate of the Senate we went through all the terrible War Between the States. We fought that war with free and unlimited debate. We fought World War I which, up to that time, was the greatest war in the history of the world. Then, we fought World War II. Nothing in the history of the world has been comparable to our deeds and accomplishments in that war. In addition, we fought the war against the most terrible depression, the depression of the early thirties. We did not have to invoke any cloture to win these great wars. We won these wars with free and unlimited debate.

We have heard a good deal of discussion about action by a majority. On this point I should like to remind my colleagues that there are Members of the Senate today who served here when the majority party, which happened to be the Democratic Party, had 76 out of the 96 votes. At that time the Republican Party had only 16 votes. The other four votes were among the Progressives and the Farmer-Labor Party. That situation emphasizes the important thing I want to bring out, that parties do control this body so far as numbers are concerned. It is precisely this situation when we must have available to us the means to restrain them, if need be, and to keep their party spirit from running wild that we may not suffer from the baneful effects of that party spirit.

No one knows when he may be in the majority or in the minority in this body, and I say this to you: That some of those who now press hardest, some of those who insist most determinedly for change in the Senate rules and denial of our freedom of debate, may be the very ones who tomorrow will find that this free and unlimited debate is needed for the protection of their rights. The framers of the Constitution were well aware of the point I am making.

As we recall, the Founding Fathers—men like James Madison, Gouverneur Morris, and George Washington—had a great fear when they brought our Government into being. That fear was the danger of what they termed party spirit.

As George Washington expressed it in his farewell address, "the baneful effects of party spirit."

Senators, let me call to your attention an excerpt of his words, and I ask that you weigh this and weigh it well, because in my opinion the thing that has averted

this danger, the thing that has averted the baneful effects of party spirit that Washington feared, was the same free and unlimited debate in the Senate of the United States which we are discussing today. In his farewell address George Washington said to us:

I have already intimated to you the danger of parties in the States with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all government, more or less stifled, controlled, or repressed, but in those of the popular forum it is seen in its greatest rankness and is truly their worst enemy. Without looking forward to an extremity of this kind, which nevertheless ought not to be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

The founders of the American Government were not unaware of the fragile nature of human freedom and sought to protect our liberty with definite safeguards. Among the most interesting statements to be found in the "Journal of the Constitutional Convention" kept by James Madison, who, as we know, later followed Jefferson as President, was the statement by Edmund Randolph concerning the purpose of the U.S. Senate.

I wish to quote this statement by Randolph from page 81 of the Madison Journal:

Mr. Randolph observed that he had at the time of offering his propositions, stated his ideas as far as the nature of general propositions required; that details made no part of the plan, and could not perhaps with propriety have been introduced. If he was to give an opinion as to the number of the second branch (the Senate), he should say that it ought to be much smaller than that of the first; so small as to be exempt from the passionate proceedings to which numerous assemblies are liable. He observed that the general object was to provide a cure for the evils under which the United States labored; that in tracing these to their origin, every man had found it in the turbulence and follies of democracy; that some check therefore was to be sought for, against this tendency of our governments; and that a good Senate seemed most likely to answer the purpose.

What our Founding Fathers envisioned was a Senate of free debate, not simply a legislative body but a citadel of learning where questions are carefully studied and agreed upon, where no group or section of the Nation may ruthlessly impose a program on another group or another section of the Nation.

Mr. President, we observe from that statement of Edmund Randolph that the founders of our Government, the creators of our Constitution, established the U.S. Senate primarily as a protection for American liberty and as a restraint on the House of Representatives. It was instituted as a bulwark against the enactment of hasty legislation, a forum for full and open discussion, and a fortress to assure the continuance of American freedom.

Mr. President, we recall that Benjamin Franklin—and there was no wiser man than Franklin—spoke of the Senate as the saucer. In other words, it was a saucer into which the hot coffee was to be poured to give it time and opportunity to cool. The House of Representatives, if at any time it took any hasty action, if it acted with too much speed and did not thoroughly consider and thresh out the full significance and effect of that action, had always this saucer, the Senate, waiting for the measure to cool.

Mr. President, as we know, under our present rule 22, two-thirds of the Senators present and voting must decide in the affirmative that debate on a measure or motion be brought to a close.

In defense against any watering down of the present rule, I should like to point out that a two-thirds vote is not an uncommon procedure in the Congress of the United States. The Constitution, as well as amendments thereto, imposes the rule of a two-thirds majority in quite a number of instances, and I shall refer to those instances briefly.

No person shall be convicted on impeachment without the concurrence of two-thirds of the Senators present—article I, section 3.

I think we all agree today that we are glad that provision was in the Constitution when Andrew Johnson was tried. A majority of the Senate voted to sustain his impeachment, but not two-thirds, and he continued as President of the United States.

Each House, with the concurrence of two-thirds, may expel a Member—article I, section 5.

In other words, a majority cannot do it; it takes two-thirds.

A bill returned by the President with his objections may be repassed by each House by a vote of two-thirds—article I section 7.

It takes a two-thirds vote in both Houses to pass a bill over the President's veto.

The President shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur—article II, section 2.

In other words, a treaty that can receive only a majority of the votes of the Senate never becomes a treaty; it has to have the concurrence of two-thirds of the Members of this body.

Congress shall call a convention for proposing amendments to the Constitution on the application of two-thirds of the legislatures of the several States—article V.

When the choice of a President shall devolve upon the House of Representatives, a quorum shall consist of a Member or Members from two-thirds of the various States of the Union. That, we recall, was provided in the 12th amendment, which was adopted at a date later than the drafting of the original Constitution.

A quorum of the Senate, when choosing a Vice President, shall consist of two-thirds of the whole number of Senators—amendment 12.

The Constitution, therefore, does not give recognition, in all cases, to the right of the majority to control. We have seen that a two-thirds vote is required on many important occasions. Surely, free and full debate in the Senate is equally important.

Free debate in the Senate is a historic right. We recall that in 1789 the first Senate adopted 19 rules of which rule 9 related to moving the previous question. The original rule 9 read as follows:

The previous question being moved and seconded, the question from the Chair shall be: "Shall the main question be now put?" And if the nays prevail, the main question shall not then be put.

But, when the Senate rules were modified in 1806, reference to the previous question was omitted altogether. It had been moved only four times and used only three times during the 17 years from 1789 to 1806. After that, until 1917, as we shall see, there was no general rule limiting free debate in the U.S. Senate. Indeed, Dr. Joseph Cooper, of Harvard University, a distinguished scholar and student of American government, has shown recently in a most scholarly dissertation that the original rule 9 was never understood functionally as a cloture mechanism and that it was not designed to operate as such. Therefore it really means that the Senate never intended to have any motion to close debate under the previous question, and certainly from 1806 to 1917 there was no semblance of anything to that effect.

Mr. President, throughout the history of the representative government, it has been recognized that the right of unlimited debate is a valuable right for the protection of minorities, to check a ruthless majority. That right in the Senate has done much to hold the United States together. Had it not been for the right of unlimited debate in the Senate, the American Union, in all probability, would have been broken up in 1812, when there was a serious controversy in New England, and many of the New England citizens wanted to leave the Union because of the War of 1812. But, through the right of unlimited debate, New England Senators representing their States came here to counsel, caution, and debate with the other Senators, representing their States, and the great and complicated issues were thereby resolved for the good of all.

Under this system, Mr. President, we know that America has prospered. We have stood firm with the guiding principles on which our Nation was built.

A great challenge to free debate in the Senate occurred in 1841. On July 12, 1841, the distinguished statesman Henry Clay brought forth a proposal for the reintroduction of the "previous question" which had been eliminated in 1806 and which he stated was necessary by the abuse which the minority had made of the privilege of unlimited debate in the Senate. But in successfully opposing Clay's motion, Senator Calhoun said:

There never has been a body in this or any other country in which, for such a length of time, so much dignity and decorum of debate has been maintained.

Fortunately for our Nation, Clay's proposition met with very considerable opposition and was abandoned.

Probably, the most famous bill ever defeated by the free and unlimited debate in the Senate was the so-called force bill introduced in the House of Representatives and valiantly fought for by Senator Henry Cabot Lodge, Sr., of Massachusetts, who was then a Member of the House of Representatives. He fought for that bill in the House. Afterwards, he came over to the Senate and, at first, was very much opposed to free and unlimited debate. He favored strict cloture.

But, after he had served in the Senate awhile, after he had gained the experience—and as we know he was one of the most erudite men ever to sit in the Senate of the United States, a great student not only of our own Government but of all the governments of the world—he gave to us who sit in the Senate today and to our country the benefit of his ripened and seasoned and mature judgment.

I want to take a minute to read a few excerpts from what Senator Lodge said. He was the author of the force bill, one of the very few bills in the history of the country that was killed by free and unlimited debate.

Senator Lodge said:

It is not necessary to trace the long struggle between those opposing forces which ended the most famous compromise of the Constitution of which the Senate was the vital element and which finally enabled the Convention to bring its work to a successful conclusion. It is sufficient here to point out that, as the Constitution was necessarily made by the States alone, they yielded with the utmost reluctance to the grants of power to the people of the United States as a whole and sought in every way to protect the rights of the several States against invasion by the national authority. The States, it must be remembered, as they then stood, were all sovereign States. Each one possessed all the rights and attributes of sovereignty, and the Constitution could only be made by surrendering to the General Government a portion of these sovereign powers. In the Senate, accordingly, the States endeavored to secure every possible power which would protect them and their rights. They ordained that each State should have two Senators without reference to population, thus securing equality of representation among the States. They then provided in article 5 of the Constitution that "No State without its consent should be deprived of its equal suffrage in the Senate."

Then Lodge went on:

Except on some rare occasions, the Senate has been the conservative part of the legislative branch of the Government. The cloture and other drastic rules for preventing delay and compelling action which it has been found necessary to adopt and apply in the House of Representatives have never, except in a most restricted form, been admitted in the Senate. Debate in the Senate has remained practically unlimited, and despite the impatience which unrestricted debate often creates, there can be no doubt that in the long run it has been most important, and indeed very essential to free and democratic government, to have one body where every great question could be fully and deliberately discussed.

It must be remembered that Senator Lodge was the author of the force bill, which was defeated in this body by free debate. It was the bill that he had driven to passage in the House, but when it came here it was killed by free debate. Let me quote his words after he had served in the Senate and had had an opportunity to study the Senate and to appreciate and understand the place of the Senate in our constitutional democracy. He added—and I would emphasize these words:

The Senate, I believe, has never failed to act in any case of importance where a majority of the body really and genuinely desired to have action and the full opportunity for deliberation and discussion characteristic of the Senate. This has prevented much rash legislation born of the passion of an election struggle and has perfected still more that which ultimately found its way to the statute books.

Senator Lodge closes with these words:

The Members of the U.S. Senate have always cherished the freedom of debate which has existed in this Chamber. Senators have been reluctant to adopt any rule of cloture, and, even after the present rule was adopted in 1917, they have been reluctant to invoke it. Cloture is a gag rule. It shuts off debate. It forces all free and open discussion to come to an end. Such a practice destroys the deliberative function which is the very foundation for the existence of the Senate. It was the intent of the framers of the Federal Constitution to obtain from the upper Chamber of the Congress a different point of view from that secured in the House of Representatives. Thus the longer time, the more advanced age, the smaller number, the equal representation of all the States. Careful and thorough consideration of legislation is more often needed than the limitation of debate.

Those were the words of Senator Henry Cabot Lodge, Sr., of Massachusetts.

Senator Lodge knew, even as we know, of the temptations and the pressures that come. He knew that perhaps forgetful of their great responsibility of power, some may be shipped on by pressure groups or spurred by some political expediency to act without full and complete deliberation and mature consideration and do the very thing that George Washington in his Farewell Address warned us against.

For 111 years, from 1806 to 1917, there was no general rule which limited debate in the Senate. However, in the closing days of the 64th Congress in 1917, a filibuster defeated a bill to arm merchant ships to resist attacks by German submarines. War was impending. We knew that the dark clouds of war were moving more and more ominously all the time toward our own shores. Because of the threat of war, Congress was called into special session and on March 8, 1917, Senate rule XXII was amended to provide that on the second day after the filing of a petition by 16 Senators, the Senate could, by a two-thirds vote, limit debate so that no Senator could speak more than 1 hour on any pending measure.

Of the cloture rule adopted by the Senate in 1917, Robert Luce, in 1922, wrote a book entitled "Legislative Procedure"—Boston and New York, 1922, page 301.

I had the honor and privilege of serving in the House of Representatives with Mr. Luce when he was a distinguished Member of that body from Massachusetts. I know of no man with whom I have served in Congress, either in the House of Representatives or the Senate, who was a more careful or a more profound scholar of our constitutional system and our American democratic republic under the Constitution than was Mr. Luce. I quote his words:

The very mild and moderate form of cloture adopted by the Senate will permit the majority in that body to assume responsibility in time of crisis, and threatens no great harm to minorities. After all, it is in large part a question of degree. Somewhere between the extreme contentions of majority rule and minority right is a point where dangers balance. If the Senate has discovered that point, so much the better. Whether the House has been successful in like discovery is not even yet clear though almost a score of years have passed since Mr. Reed put forth his famous rules. There is grave reason to fear that a lessening of sense of responsibility has accompanied the limitation of debate, throwing too much of the burden of decision on the Senate.

In other words, the limitation of debate in the House has tended to weaken the sense of responsibility of Members of that body and has perhaps kept them from meeting a greater part of the responsibility which they should have met with respect to fulfilling the duties, obligations, and functions of the Congress of the United States.

I should like to emphasize the sole reason the cloture amendment to rule XXII was ever adopted by the Senate in the first place. If one will read the debates in the CONGRESSIONAL RECORD when the resolution creating rule XXII was under consideration, one is bound to admit that it was the intention to resort to that rule only in cases involving the national defense, when war was imminent, and when cloture should be invoked in order to defend the country in a grave emergency.

On March 4, 1925, Vice President Charles G. Dawes delivered his inaugural address to the Senate, in which he advocated a more stringent gag rule than that provided in the existing rule XXII.

As a Member of the House of Representatives, I was privileged to be on the floor of the Senate that day and to hear the address by Vice President Dawes. For some time after the delivery of that address, I was also privileged to be on the floor of the Senate and to hear the comments of different Senators concerning the address. I can say that those comments were far from laudatory and far from giving any support to the proposal suggested in the address.

In swift response to a change in the Senate rules as recommended by Vice President Dawes many great Senators, both Democrats and Republicans, immediately made strong statements opposing the proposal. They showed the fallacy of Dawes' argument, and pointed out that this Nation would be better off if the rules were left as they were. I shall quote briefly from a letter dated May 13, 1925, written to the New York Times by Senator Key Pittman from the State of Nevada.

Senator Pittman at the time of his death was chairman of the Committee on Foreign Relations. He was also the

President pro tempore of this body. I quote from his letter to the New York Times:

The campaign of Vice President Dawes is exciting considerable interest in the West.

I have recently been requested to address semicivic societies and public service clubs upon this subject. I hoped that the majority and minority leaders in the Senate would set forth the reasons for the attitude which I believe a majority of the U.S. Senate hold in opposition to the position taken by the Vice President.

The subject is not only very interesting but, in my opinion, of vital importance to the proper functioning of the legislative branch of our Government.

Also, concerning the Dawes proposal, I would like to quote from Bent Silas, a great writer on politics and the history of our country. In March 1928, he wrote in the Outlook, a magazine to which Theodore Roosevelt contributed so much:

There is no need to limit the wordage output through alteration of the Senate rules. Vice President Dawes has never unlimbered his sharp tongue in a cause more ill considered than his campaign to limit debate in the upper house. Unlimited debate is a rampart erected against popular hysteria, the resistance to which is a constitutional obligation of the Senate. The rules under which this body proceeds were engendered by its function. It is the surrogate of weaker States. That is why a Nevada voter has, in effect, seven times as much power when he speaks through the voice of his Senator as a New York voter. That was why the Senate, less subject than the House to popular clamor, was set up as a barrier to Executive aggression. When the Senate rejects a Charles Beecher Warren, or compels a President to dismiss members already admitted to his Cabinet, as it has done in recent years, it is not arrogating to itself powers outside its province. It is there for just such contingencies. ("In Praise of the Senate," the Outlook, Mar. 4, 1928, p. 413.)

I think that Mr. Silas put the case very well. His words, I might add, are equally applicable at the present time. In 1925, there was another gentleman, N. D. Cochran, who saw through Dawes' proposal and estimated its true worth with these words:

Mr. Dawes is leading a fight to fool the people of the United States into making the Senate surrender its constitutional power into the hands of a political party machine. An organized campaign is on to discredit the U.S. Senate, with Vice President Dawes a chief spokesman.

My belief is that the purpose is to strengthen the executive branch of the Government at the expense of the legislative.

If the Dawes scheme works and the Senate ceases to be a check on Presidential power, future Presidents will be dictators. (In the Washington News, as quoted by the Literary Digest, May 9, 1925, p. 15.)

I should like also to quote from the remarks of the late Senator Copeland, of New York, with whom I was privileged to serve in this body. Senator Copeland made some searching comment concerning the inaugural address by Vice President Dawes. In 1925, Senator Copeland said:

I can quite understand why a citizen of Nevada might want to have the rules changed. Nevada has 77,000 population and yet it sends two Members to the U.S. Senate. If New York were represented in the same proportion, it would have 144 Members in the U.S. Senate instead of 2.

Here is another thing to think about: The States of New York, Pennsylvania, Illinois, and Michigan pay 60 percent of the Federal taxes. The combined representation of these States in the Senate is one-twelfth of the total. Therefore, these States are totally submerged so far as voting power is concerned.

New York State has as great a population as 18 other States combined. It exceeds the combined population of Arizona, Colorado, Delaware, Florida, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, Wyoming, Maine, and Nebraska.

Add to these 18 States 7 other States—Arkansas, Louisiana, West Virginia, Connecticut, Washington, South Carolina, Maryland—and it will be found that these 25 States, controlling 50 of the 96 votes, have a majority in the Senate. These States represent less than 20 percent of the total population of the country and they pay not more than 10 percent of the taxes. Mr. Dawes' cloture rule would give this minority in population and financial standing absolute control of the Senate.

So Senator Copeland, from the great State of New York—a State now second, I believe, only to California, in population—pleaded against any cloture, for fear that Senators from the smaller States would impose cloture and thus would deny to Senators from the larger States their right to speak and to be heard, and thus would deny to the larger States and to their representatives in the Senate their due protection and rights in the Senate.

The Senate was established to protect all the States—the large as well as the small or the States of medium size.

There is just one other brief statement concerning the Dawes proposal which I should like to read. It is from a splendid statement by Frederick Ogg and Ormon Ray, appearing in their book, "Introduction to American Government." They wrote:

Not even so vigorous a critic as Mr. Dawes * * * could stir up much response either at Washington or throughout the country, and no early change in practice appears probable. The weight of argument, indeed, is by no means entirely on one side of the question. Quite to the contrary, Senators and others who honestly believe the existing lack of restraint to be on the whole advantageous bring forward a number of contentions, all of considerable validity: (1) that under the rules as they stand, the Senate (as Mr. Dawes was obliged to concede) gets through with a very creditable amount of business—in five recent Congresses, for example, passing 182 more bills and resolutions than did the House; (2) that the present oft-used device of "unanimous consent", by which the Members agree in advance to limit speechs on a given measure after a certain day and to take a vote at a specific hour, serves all necessary purposes, being in truth itself a species of cloture; (3) that by far the greatest portion of the measures killed by filibuster are not wanted by the country and are never revived, a good illustration being the ship subsidy bill sponsored by President Harding in 1922; and (4) that the vigorous protests against filibustering sometimes voiced on the Senate floor come usually from Members whose pet projects have suffered, but who, with circumstances reversed, would themselves stand quite ready to launch or aid a filibuster effort. (Introduction to American Government, 7th edition, New York and London, p. 313.)

Senator James A. Reed, of Missouri, said something on the Senate floor in 1926 that we ought to bear in mind while we are considering this rule change. The astute Senator Reed recognized the direct connection between cloture and power.

He was one of the most erudite Members of the Senate, and was one of the most logical and powerful speakers I ever heard. He recognized the relationship between cloture, on the one hand, and power, on the other. He said:

Cloture means the granting of power. Whenever you grant power you must assume that power will be exercised, so when we discuss this proposed rule we must do so in the light of how it may be exercised so as not to do harm.

Mr. President, it is true, and is an important fact, of which all of us should take notice, that after long service here, through the years, Senators become more and more determined to protect the right of free debate in the Senate.

To demonstrate this most significant fact, I should like to quote briefly from some of our famous statesmen of the not-too-distant past. The first one I shall quote is Champ Clark. Seventeen years after he first entered the House, and the year before he became its Speaker, Champ Clark wrote:

I myself once felt that it would be a good thing if the Senate had a time limit; but I have changed my mind about that, as I have about many things; for I have come to the conclusion that there ought to be some place in our system of Government where a measure can be thoroughly discussed; and, while some of the Senators undoubtedly waste time and abuse the privilege of unlimited debate, it is better that a few should do that than that great measures affecting the welfare of 90 million people should not be so thoroughly ventilated that a wayfaring man, though a fool, can understand them.

In 1897, Adlai E. Stevenson, the grandfather of our Ambassador to the United Nations, and who at that time was Vice President of the United States, delivered his celebrated farewell address to the Senate. During that splendid, outstanding address, he had much to say about the rules of the Senate. His great words are most meaningful right down to this day, even as they were in 1897. Let me quote briefly from that address:

It must not be forgotten that the rules governing this body are founded in deep human experience; that they are the result of centuries of tireless effort in legislative hall, to conserve, to render stable and secure the rights and liberties which have been achieved by conflict. By its rules the Senate wisely fixes the limits to its own power. Of those who clamor against the Senate, and its methods of procedure, it may be truly said: "They know not what they do." In this Chamber alone are preserved, without restraint, two essentials of wise legislation and of good Government—the right of amendment and of debate. Great evils often result from hasty legislation; rarely from the delay which follows full discussion and deliberation. In my humble judgment, the historic Senate—preserving the unrestricted right of amendment and of debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of Government a value which cannot be measured by words.

He had presided over this body; he had seen the work of the Senate; and—most important—he had seen the vital part played by the Senate in our democratic system of government in the preservation of the rights of the States and—most important—in the preservation of the rights and liberties of the citizens in the States.

Mr. President, on this score I am sure you will be interested in the words of Senator Hoar which are direct and to the point. Senator Hoar was another one of our great Senators who mellowed with age.

As we know, he came from the State of Massachusetts. He said:

> There was a time in my legislative career when I believed that the absence of cloture in the Senate was criminal neglect and that we should adopt a system of rules by which business could be conducted.
>
> But the logic of my long service and observation has now convinced me that I am wrong in that contention. There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface observations.

I particularly like the last sentence from those words of Senator Hoar. I repeat what he said:

> There is a virtue in unlimited debate, the philosophy of which cannot be detected upon surface observations.

The history of the Senate confirms that. Many Senators have come to this body with the thought, the opinion, and the view that there should be limitation of debate in the Senate, but, after they have been here a while, and have seen the operations and the work of the Senate, and have been the part the Senate plays in our system and scheme of democratic government, have recognized that they were wrong, and have manfully said they were wrong, and have declared themselves in favor of free debate in this body.

I believe that with the words I quoted a moment ago, Senator Hoar put his finger upon the crux of this entire debate. He told why Senators change their view after long service in the Senate, why they favor free and unlimited debate in the Senate.

Several years ago, when I went to the House of Representatives, one of the wisest and ablest men in that body was the late Senator Theodore E. Burton, of Ohio. After a long and distinguished career in that body, he came to the Senate. He was one of the most profound, erudite, and wise men in the House of Representatives when I was privileged to enter the House. On the question of free debate and cloture, Senator Burton of Ohio, in 1915, set forth with clearness the cases in which he deemed a filibuster not only justifiable but salutary. He said:

> The first is when a vital question of constitutional right is involved; when a proposition is brought in that a Senator cannot conscientiously support.
>
> The second is when the measure is evidently that result of crude or inconsiderate action.
>
> From time to time some bill is sent in here for which a first burst of enthusiasm is aroused. It seems to be all right, but on further and more careful consideration it is found to be faulty and objectionable. Until the people can be heard from, the Senate is justified in holding up the measure.
>
> A third justification for a filibuster is when the Senate is convinced that because of some compulsion, if a vote is taken, it will not express the honest conviction of the Members.

Of course, we have all read of Senator John G. Carlisle, of Kentucky, a former Speaker of the House, and a distinguished former Member of the Senate. He grew to feel very strongly about freedom of speech in our legislative assemblies. Senator John G. Carlisle, of Kentucky, said:

> Universal freedom of speech among the people and perfect freedom of debate among their representatives is the common and unwritten law of the race to which we belong. These legislative assemblies are simply the representatives of the people and as a matter of fundamental rule or principle it might just as well be contended that the people themselves have no right to discuss a question presented for their decision as to contend that their representatives have no right to discuss the questions presented to them for their consideration.

I now bring to the attention of the Senate the words of a former Member of this body, a former Senator from the State of Ohio. I am sure we will all be most interested in his words if for no other reason than the fact that this Senator later became President of the United States. But there is another reason and that reason is the sincerity of his conviction that freedom of debate in the U.S. Senate is essential to the preservation of our democracy. I quote now from the Senator from Ohio, Senator Harding, who was our 29th President. He said:

> While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention; I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is a freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American public.

Senator Harding was speaking of the Senate as the one citadel for free discussion, free debate, and an expression of the opinion and the views of the people back home through their representatives, chosen and elected to the Senate.

Mr. President, I come now to one of the most famous quotations concerning free debate in the U.S. Senate. I read now from the rich prose of Senator La Follette, of Wisconsin, who said:

> I stand while I am a Member of this body against any cloture that deprives free and unlimited debate. Sir, the moment the majority imposes the restriction contained in the pending rule upon this body, that moment you shall have dealt a blow to liberty; you shall have broken down one of the greatest weapons against wrong and oppression that the Members of this body possess. This Senate is the only place in our system where no matter what may be the organized power behind any measure to rush its consideration and compel its adoption that measure still may receive unlimited scrutiny.

He added:

> But when there is organized power behind measures, it is all the more reason why we should have unlimited debate in the U.S. Senate. There is a chance to be heard where there is opportunity to speak at length and where, if need be, under the Constitution of our country and the rules as they stand today, the constitutional right is reposed in a Member of this body to halt a Congress or a session on a piece of legislation which will undermine the liberties of the people and be in violation of that Constitution which generations have sworn to support.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HOLLAND. First, I congratulate my distinguished friend on the scholarly address that he is now making.

Mr. HILL. I thank my friend.

Mr. HOLLAND. Second, in relation to the last sentence in the quotation from Senator La Follette which the Senator from Alabama has read, is it not true that, as stated in that sentence, and as has always been known to the Senate, any Senator who would try to exercise the right of unlimited debate on some frivolous subject with respect to which he had no conviction, and which did not relate to the matter of tranquillity, peace, and constitutional law in his area or in the Nation generally, would destroy the confidence of the public and the rest of the Senate in him, in his cause, and in his area? Would it not be the most futile and foolish thing he could possibly do?

Mr. HILL. I am delighted that the Senator has made that point. It is well taken. The Senator is absolutely correct. If a Senator wished to destroy any influence, standing, or prestige he might have in this body, he could follow no better course to bring about that destruction than to do what the Senator from Florida has indicated.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HILL. I yield to the Senator from Florida.

Mr. HOLLAND. There must always be imposed on the conscience of individual Senators or groups of Senators who resort to unlimited debate the condition that they shall never resort to that defense and that weapon which the law, the Constitution, the traditions of our country, and our institutions give them unless they have a strong conviction that they are right on a subject which adversely affects the peace and tranquillity of the areas which they represent, or even the safety and security of the Nation.

Mr. HILL. The Senator is so correct. I deeply appreciate the contribution he has made today. What he has said is absolutely correct. All the history and procedures of the Senate confirm how correct he is in the questions he has presented today. I thank him again.

I conclude my reading of the statement of Senator La Follette:

> When I take that power away from Members of this body, I let loose in a democracy forces that in the end will be heard elsewhere, if not here.

I wish to call attention briefly to the position and the words of three additional very distinguished former Members of this body. They were Senators who felt very strongly about our priceless heritage of free debate in the Senate. I will do this now before I go into another line of thought concerning our cherished right of free discussion in the Senate. These three Senators are George W. Norris, of Nebraska, Charles L. McNary, of Oregon, and Kenneth D. McKellar, of Tennessee.

Senator Norris said:

The Senate is the only forum in our country where there is free and fair debate upon proposed legislation, and it is the forum where the legislation of the country is made. If we adopted majority cloture in the Senate as they have in the House, the last vestige of fair and honest parliamentary consideration would entirely vanish.

Mr. President, that is what the discussion is about today. Are we going to preserve the Senate as the American people have known it for 174 years, and as it has served our country, which has grown and prospered, fought war after war, and become the mightiest nation on the face of the earth, and at the same time preserve the liberties and the freedom of our people in the United States? Or are we going to bring about the proposed radical change in the great institution of the Senate as we have known it throughout all the years?

Mr. President, I wish to invite particular attention to the words of the late Senator Charles L. McNary, of Oregon. He was at times the minority Republican leader of the U.S. Senate. I sat in this Chamber as a member of this body and heard these words. There was no wiser or more devoted legislator than the late Senator McNary.

He was not only a great Senator, much beloved, honored, and esteemed by his colleagues as the leader of his party in the Senate, but, as we recall, he was the vice presidential nominee of his party in 1940. He said:

Every Republican except two were for the bill—

The measure then pending before the Senate—

and they were willing to remain there—

This was on the floor of the Senate—

from sunrise to evening star and from evening star to sunrise in order to have the bill passed. But, Mr. President, I am not willing to give up the right of free speech and full and untrammeled opportunity for argument. That right is the last palladium. It is the last impregnable trench for those who may be oppressed or who are about to be oppressed. It may be the last barrier to tyranny.

Now I ask Senators to listen to the words of the late Senator Kenneth B. McKellar of Tennessee, former President pro tempore of this body, who for many years served in this body and closely observed the work and the operations of the Senate.

Mr. HOLLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator from Alabama yield to the Senator from Florida?

Mr. HILL. I yield to the Senator from Florida.

Mr. HOLLAND. Would the Senator object if I called attention at this stage to the fact that the distinguished former Senators whose remarks the Senator has quoted so properly represent every hue of the rainbow so far as their philosophies are concerned? Senator La Follette and Senator Norris were well known for their liberal philosophy.

Mr. HILL. That is correct.

Mr. HOLLAND. Sometimes they might have been called ultra-liberals. Senator McKellar and Senator Lodge were at the other end of the rainbow of philosophy.

Is it not true that Senators of long experience in their membership in this body, and of long observation as to what has occurred here, regardless of their different philosophies, have almost invariably come to the conclusion that unlimited debate is one of the citadels of freedom for which they must stand and fight?

Mr. HILL. I thank the Senator for his contribution. That is quite correct. As the Senator says, the Senators whose remarks I have quoted represent what we might call the whole spectrum of thought, of ideology, of ideas, and of political views, from one end of the spectrum to the other. Those men, who disagreed sharply on many issues before the Senate, who fought many battles one against another in the Senate, when it came to the question of free debate being preserved in this body, as to whether the Senate should be preserved as the institution in our Government given to us by the Founding Fathers, had no disagreement. They were all in accord for the preservation of the great right of free debate and for the preservation of the Senate as the Founding Fathers conceived it and as they sought to insure it in writing the Constitution of the United States.

I greatly appreciate the contribution made by the Senator from Florida.

Mr. President, I now wish to quote from the words of the late Senator Kenneth D. McKellar, of Tennessee, who, as I say, was a President pro tempore of the Senate, and one of the hardest working, most indefatigable, and most able Members of this body.

The distinguished Senator from Florida and I had the pleasure of serving with him in the Senate, and I was privileged to serve under him when he was chairman of the Senate Committee on Appropriations, the committee on which the distinguished Senator from Florida today serves.

Senator McKellar said:

I have served nearly 6 years in the House and more than 8 years in the Senate. I am familiar with the rules of both Houses. I believe the present rules of the Senate make for greater efficiency, better carrying out of the people's will, than do the rules of the House. In the House the previous question can be called for at any time, debate stopped and a vote had. In other words, the party in power can pass any measure without debate and without public scrutiny. It is well known that many bills are thus passed in the House. I do not believe that this unlimited right of cloture is best for the public weal. As a matter of fact, all of the legislation in the House is agreed upon by a few men occupying leading positions in the House and the great body of Members is denied freedom of speech and action.

Senator McKellar added that he was unalterably opposed to any change in the rules or any change in procedure which would in any way deny free debate in the U.S. Senate.

Mr. President, is it not true that our historians and our educators have accepted the premise that, while history repeats itself we may, nevertheless, by studying history, benefit from the mistakes of the past?

Our Founding Fathers accepted this premise. The founders of the American Government were keenly aware of the fact that freedom in the Roman Republic had disintegrated as a result of identifiable factors which they sought to avoid in writing the Constitution of the United States of America.

May I say that a reading of the notes of the Constitutional Convention will disclose that time and again the difficulties which caused the destruction of Rome were pointed out and discussed, and an attempt was made to set up a system in this country so that the thing which caused the decline and fall of Rome would not happen on this continent, to insure that there would be no such decline and fall of the United States.

It is a historical fact that the forces intent on destroying Roman freedom first attacked the right of unlimited debate. It may be interesting for me to go a bit further and to note how Julius Caesar, in his ambitious manipulation of the Roman mob to further his own acquisition of power, proceeded from this point to whittle down the authority of the Roman Senate.

Caesar destroyed the power of the Roman Senate by imposing cloture on that great institution. Prior to Caesar's imposition of cloture, the Roman Senate had enjoyed free and unlimited debate for some 450 years. With cloture the golden days of the Roman Senate receded into history.

Cicero, one of the great statesmen of all time, recognized the issue and warned the Roman Senate that if they adopted cloture it would mark the beginning of the decline of Rome, and that within a few years there would be despotism and tyranny. He said that behind cloture the power of the Roman Senate would be whittled down, and a tyrant would then take its place and exercise its power.

And, Mr. President, that is exactly what happened to Rome. Julius Caesar was a very ambitious man. He desired to make himself dictator of an imperial Rome. The thing that stood in his way, the thing which prevented him, was free debate in the Senate of Rome. So he said, "We are going to distribute land among certain people." He brought those people to Rome and with their aid forced the Senate to change its rule of unlimited debate. Within 2 years he had destroyed the power of the Roman Senate. He became a dictator. Rome

lost her liberty and we all know of her decline and fall.

Mr. President, the turning points of history are not always on the battlefield. Here was a great turning point of Roman history when Caesar broke the power of the Roman Senate, and though the Senate existed in name for another 500 years, from that time on it was always more or less a rubber stamp for the Emperor of Rome. Let us not repeat the mistake of Rome in the U.S. Senate.

Mr. President, why is it that almost all Senators who have served in this body any length of time, from the beginning down to the present time, have recognized the value of unlimited debate and have striven to preserve and protect that right and have considered it essential to protect the people in all areas of the country from unbridled majorities? A bill can be debated in the House of Representatives, under their rule, only; an hour. I have been there and have seen Representatives beg and plead for only 5 minutes time in which to *explain their* position on a major piece of legislation. Under the gag rule, if a measure came to the Senate it would be rammed through by the power of a great lobby or great pressure groups, and the people of the Nation would not know what happened, until the measure had already passed both Houses of Congress.

On that very point, Mr. President, I have an excerpt from George Haynes' scholarly treatise concerning the Senate of the United States. I would like to read the most pertinent part. He wrote:

> That the Senate will so amend its rules as to permit cloture upon the vote of a mere majority of those present, as in the House, is to the last degree improbable. Reluctance to make such a change is mainly due to a sincere conviction on the part of Senators (and of many outside of the Senate who have studied most closely the working of our system of government) that cloture thus applied would destroy the deliberative function of the Senate, annihilating the very reason for its existence, and making it automatically a mere annex of the House of Representatives. It was the intent of the framers of the Constitution to secure from the Senate a different point of view, a more matured judgment than that of the House. To those ends the longer term, the more advanced age, the smaller numbers, the equal representation were all expected to conduce. What is sorely needed in Congress is seldom greater speed but always more thorough consideration in lawmaking. Cloture by a vote of a chance majority in the Senate would have brought many a decision which would have accorded ill with the sober second thought of the American people.
>
> In these days of weakened party discipline, the temporary majority that group combination may today give upon a pending measure may by no means indicate a responsible majority's conviction that the measure is wise. Nor is it safe to assume that in blocking a given piece of legislation a small minority or even a single Senator is thwarting the will of the majority of the Senate.

Mr. President, during the famous debate on rule XXII that occurred in 1949, a remarkable article by Mr. Walter Lippmann appeared in the Washington Post. This most thoughtful article is entitled "Filibusters and the American Idea." I would like to read this article in its entirety because I believe it sums up in a masterful way the case against changing rule XXII.

Mr. Lippmann says:

> Although the question before the Senate is whether to amend the rules, the issue is not one of parliamentary procedure. It is whether there shall be a profound and far-reaching constitutional change in the character of the American Government.
>
> The proposed amendment to rule XXII would enable two-thirds of the Senate to close the debate and force any measure, motion, or other matter to a vote. If the amendment is carried the existing power of a minority of the States to stop legislation will have been abolished. "Stripped of all mumbo-jumbo and flag waving," says the New York Times, "the issue, is whether the country's highest legislative body will permit important measures to be kept from a vote through the activities of a few leather-throated, iron-lunged Members who don't want democratic decision."
>
> This is an unduly scornful and superficial way to dispose of a great constitutional problem. For the real issue is whether any majority, even a two-thirds majority, shall now assume the power to override the opposition of a large minority of the States.
>
> In the American system of government the right of democratic decision has never been identified with majority rule as such. The genius of the American system, unique I believe among the democracies of the world, is that it limits all power—including the power of the majority. Absolute power, whether in a king, a president, a legislative majority, a popular minority, is alien to the American idea of democratic decision.
>
> The American idea of a democratic decision has always been that important minorities must not be coerced. When there is strong opposition, it is neither wise nor practicable to force a decision. It is necessary and it is better to postpone the decision—to respect the opposition and then to accept the burden of trying to persuade it.
>
> For a decision which had to be enforced against the determined opposition of large communities and regions of the country will, as Americans have long realized, almost never produce the results it is supposed to produce. The opposition and the resistance having been overridden, will not disappear. They will merely find some other way of avoiding, evading, obstructing, or nullifying the decision.
>
> For that reason it is a cardinal principle of the American democracy that great decisions on issues that men regard as vital shall not be taken by vote of the majority until the consent of the minority has been obtained. Where the consent of the minority has been lacking, as for example in the case of the prohibition amendment, the democratic decision has produced hypocrisy and lawlessness.
>
> This is the issue in the Senate. It is not whether there shall be unlimited debates. The right of unlimited debates is merely a device, rather an awkward and tiresome device, to prevent large and determined communities from being coerced.
>
> The issue is whether the fundamental principle of American democratic decision—that strong minorities must be persuaded and not coerced—shall be altered radically, not by constitutional amendment but by a subtle change in the rules of the Senate.
>
> The issue has been raised in connection with the civil rights legislation. The question is whether the vindication of these civil rights requires the sacrifice of the American limitation on majority rule. The question is a painful one. But I believe the answer has to be that the rights of Negroes will in the end be made more secure, even if they are vindicated more slowly, if the cardinal principle—that minorities shall not be coerced by majorities—is conserved.
>
> For if that principle is abandoned, then the great limitations on the absolutism and the tyranny of transient majorities will be gone, and the path will be much more open than it now is to the demagogic dictator who, having aroused a mob, destroys the liberties of the people.

A few moments ago I quoted what was said on this same subject in January of 1953 by the late Senator Robert A. Taft, of Ohio, majority leader at that time, who opposed denial of freedom of debate. I express approval of the forceful words Senator Taft used at that time:

> We must disregard the question of civil rights issues as affected by the rules predicated on the ground that here is an abuse which justifies the setting aside of the precedents of the Senate. I say there is no abuse. I say we have rules and we can operate under them.

Mr. President, I fully agree with those forceful words of Senator Taft, and I hope they will be carefully considered by our friends on the other side of the aisle during this debate. Indeed, is it not true that the very concept of the Senate as a forum for complete, full, and unlimited deliberation was what moved the Founding Fathers to select the Senate as the body to share in the treatymaking power of the Government, and also to share in the appointment power of the Chief Executive?

Bear in mind that, although officials of the departments of Government are appointed by the Chief Executive, and although they are members of the Chief Executive's official family, their nominations have to be confirmed by the Senate.

Mr. President, is it not true that the Senate is a great deal more than we might term an ordinary legislative body?

Is it not true that a State is prohibited from entering into any kind of a treaty or agreement with a foreign power, but that the States do share in the treaty-making power and in the shaping of our foreign policy through their representatives on the floor of the U.S. Senate?

Mr. President, when the American people are informed, they will do the right thing. I have always felt that we could trust the people. In fact, I think the people are more to be trusted than many political leaders think is wise for them to be trusted. The right of unlimited debate to inform the people and let the issues sink in is a great safety valve which will do much to protect our people and to preserve our Republic. When, supported by powerful pressure groups, we rush through legislation, then the Senate is not performing its intended function. It is supposed to be a check to balance this great legislative process.

During my remarks on this vital question, Mr. President, I have quoted from a number of outstanding American statesmen for the purpose of indicating their unanimity and strong feelings concerning the rights of the minority in the U.S. Senate.

Without regard, however, to the sufficiency of the distinguished authorities I

have already mentioned I feel that my remarks would be less than complete if I did not include at least one quotation from our beloved Thomas Jefferson in view of this great concern for the rights of minorities.

Jefferson said:

Bear in mind this sacred principle, that although the will of the majority is in all cases to prevail, that will to be rightful, must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.

Mr. President, the following excerpt, on the same subject, from the writings of one of our famous historians, the late Dr. Charles A. Beard, in my opinion is most enlightening with respect to the question before us.

He wrote:

Denunciations of delays (occasioned by filibustering) have often been renewed; but the Senate has been obdurate and not without reason—liberty of debate in the Senate acts as a salutary check on the administration, gives the minority the right to be heard, and assures at least one open forum in the country for the free consideration of issues which might otherwise be smothered. ("American Government and Politics," 9th ed., New York, 1945, p. 135.)

Mr. President, before I close my remarks on this question, I should like to again remind those who now press for this change, that they may well be the first ones most in need of the protection of the historic right of free speech in the U.S. Senate. What is even more important, I should like to remind them that our historic right of free speech in the Senate is particularly crucial to the protection, the endurance and the lasting genius of our republican form of government.

We, of course, recall that Benjamin Franklin when he was asked what the Constitutional Convention had done, replied with his famous, challenging question. His answer was:

We have given you a republic, if you can keep it.

Mr. President, for 174 years we have kept this Republic given to us by our Founding Fathers. I am here today pleading: Let us continue to keep it.

MARYLAND CRABCAKES

During the delivery of Mr. HILL's speech,

Mr. HILL. Mr. President, I ask unanimous consent that the Senator from Maryland [Mr. BEALL] may be recognized at this time, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. BEALL. Mr. President, I rise to defend the fair name of the great Free State of Maryland against an insult.

Just as the distinguished Senators from Georgia would resent a knotty little peach being called "a Georgia peach," just as the Senators from Idaho would resent a puny little spud being called "an Idaho potato," just as the distinguished Senators from Maine would resent a crawfish being called "a Maine lobster," and just as the distinguished Senators from Kentucky would resent cheap bootleg being called "Kentucky bourbon" I resent the crabcakes being served in the Senate dining room being called "Maryland crabcakes."

On the menu, it says, bold and brazen, "Maryland crabcakes," but no Marylander would recognize what is served. Now, I do not say that the crabcakes served in the Senate dining room are bad; I simply say they fall far short of the high standard of "Maryland crabcakes," that tasty dish which has helped to make the name "Maryland" loved throughout the Nation.

Patrons of our dining room should be protected from deception.

I want the world to know that those crabcakes are not "Maryland crabcakes."

Mr. HILL. I may say to the Senator that we would like to have a demonstration of the superiority of Maryland crabcakes to those served in the Senate dining room.

Mr. BEALL. I promise the Senator from Alabama that that will be done. I thank him for yielding to me.

I ask unanimous consent to have an extract from today's menu printed in the RECORD.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

TODAY'S ENTREES

1. Broiled fresh Jersey pork chops, applesauce, lyonnaise potatoes, buttered brussels sprouts, $1.55.

2. Combination of fresh sea food créole en casserole, timbale of rice, chef's tossed salad, $1.35.

3. Grilled chopped sirloin steak, onion sauce, whipped potatoes, new corn sauté, $1.05.

4. Fried fresh "Maryland crabcakes," tartar sauce, macaroni au gratin, old-fashioned coleslaw, $1.05.

5. Stuffed ripe tomato with fresh crabmeat salad a la Maryland, quartered hard-boiled egg, coleslaw, assorted relishes, potato chips, $1.40.

6. Low calorie (285 calories): Tomato juice, shrimp salad on shredded lettuce, ripe olive, rye toast (no butter), two peach halves (dry), black coffee, tea with lemon, or skim milk, $1.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF RULE XXII—CLOTURE

The Senate resumed the consideration of the motion of the Senator from New Mexico [Mr. ANDERSON] to proceed to the consideration of the resolution (S. Res. 9) to amend the cloture rule of the Senate.

Mr. HOLLAND. Mr. President, the question before the Senate during this debate, while it has come up frequently and in different forms, is always vital to the institution of the Senate itself, to its functioning in the way in which it was intended to function, and to the preservation of the tremendous value that it has to this Nation, to its people, and to all of its States. I do not believe there has ever been a time when this question has come up that the proposal before the Senate has been broader than it is in the present situation.

The present cloture rule, rule XXII, provides that cloture can be had only by a vote of two-thirds of the Senators present and voting, after compliance with the other provisions included in the rule. The three measures already offered to the Senate, two in the form of resolutions, one in the form of an amendment to those resolutions, cover a very broad range of proposed change.

The Anderson resolution, which is Senate Resolution 9, proposes that the present rule be so changed that 60 percent of the Senators present and voting may close debate when the conditions prescribed by the remaining part of the resolution have been fulfilled.

The Humphrey resolution, Senate Resolution 10, and the Humphrey amendments to Senate Resolution 9 prescribe that the constitutional majority of the Senate, 51 Senators, may bring on cloture and close debate when the conditions of the resolution have been complied with.

The Morse amendment, which has been offered by the distinguished Senator from Oregon, as an amendment to the Anderson resolution, prescribes that a majority of the Senators present and voting may bring on cloture; which means that if there were present a bare quorum of 51, 26 Senators could effect cloture in Senate debate.

So the scope of this debate is very wide, indeed, extending all the way from 60 Senators being required, in the case of the Anderson resolution, in the event all Senators were present and voting; 51 Senators—or a majority of Senators duly chosen and sworn—in the case of the Humphrey amendment, and down to, as a minimum, 26 Senators in the event the Morse amendment should apply, and the minimum quorum of the Senate were present at the time of voting.

I do not recall in my 17 years in the Senate, and having observed several debates on this subject, any time when the scope of the proposals offered was quite so broad as those which are presented in this debate. Surely, they could not be broader, because they cover almost every conceivable situation below the present requirement that two-thirds of the Senators present must vote in order to close debate.

Before beginning my remarks, which will not be extensive in length, I desire that the RECORD show clearly the seriousness of the matter of engaging in unlimited debate from the standpoint of those who engage in it. I have engaged in unlimited debate. I have also voted on two occasions to close debate, so as to limit it. I know that there is a heavy responsibility upon every Senator so to conduct himself and so to present the causes upon which he speaks that, in

the first instance, it is evident that he believes, in the very depth of his heart, in the soundness of the proposal which he advances and in its merits not only on behalf of his own people, the people of the State which he represents, but also its soundness from the standpoint of the greatest protection of the people of the Nation. Any Senator who would engage in unlimited debate without having a cause which other Senators would recognize as representing the deep convictions of that Senator would jeopardize his standing, his reputation, his ability to gain the attention and the friendly and sympathetic interest and votes of his brother Senators. So any Senator who would indulge in unlimited debate without having a deep conviction that he was right would be upon very unsound ground, indeed. I cannot conceive of any Senator failing to recognize that that is the fact, and that when he proceeds, he must be very sure that his conviction is apparent in what he says, in what he does, in the arguments that he advances, and in the degree of dedication which he shows to the cause which he supports.

My second observation: Any Senator engaging in unlimited debate would not dare to do so unless he believed in his heart that he was representing the conviction of the vast majority of his people back home in his own State, because they know just as well as he knows that he is their representative here, and that if he does anything which destroys the confidence of other Senators in him, he affects gravely his ability to represent them and their right to obtain sympathetic consideration of their interests from the Senate generally and from every other Member of the Senate.

With those brief observations, I wish to lay the predicate for what I may say along three rather practical lines, because I do not want anyone who may read of this debate in the press or may read the proceedings in the RECORD tomorrow or in the years to follow to doubt for a moment that Senators who are opposing the proposals embraced in the three propositions which I have mentioned deeply feel the convictions they express and espouse and represent a cause in which they believe so sincerely that they know other Senators will recognize the sincerity of their beliefs.

Mr. President, my able friend, the Senator from Alabama [Mr. HILL], as is his custom, has in most scholarly, most able, and most eloquent fashion presented much of the argument in connection with this matter—much of the historic argument, much of the constitutional argument, and much, too, of the practical argument.

Insofar as I am concerned, I hope not to go over the same ground now, but to confine myself to three proposals which I believe to be highly practical, and which I think will perhaps bring to the attention of Senators three practical considerations which in my opinion are of importance as we decide this question. Those three considerations have to do with three several fallacies, three several mistaken opinions which are widely held, as to arguments which prevail in this cause. I believe these fallacies need to be exposed over and over again, so that the people, and particularly the Members of the Senate, may realize that these fallacies are being indulged in by many of the well-intentioned advocates of the change being proposed here. Mr. President, I do not question in the slightest the good intentions or the high motives of those who propose this change; but I believe they are suffering from the three fallacies which I shall mention, and which I believe should be mentioned in some detail in connection with the making of this record.

The first fallacy is the contention by many that more stringent limitation on debate than that incorporated in the present rule XXII must be imposed in order to enable the Senate to pass measures which are important to the welfare of the country. Mr. President, some Senators truly believe, I think, that important measures in various fields have failed of passage because of the restrictions of the present cloture rule. But I believe that conclusion to be fallacious. I think it can be very easily disproved. I do not believe it can be sustained at all, except as to one field; namely, the field of extreme so-called civil rights measures, as to which there is a difference of opinion in regard to what would be the result of imposing such extreme measures upon the people of the Nation. I believe that a review of the action taken by the Senate on the measures which have been subjected to extended debate, or so-called filibusters, will show clearly that this argument cannot be sustained.

Mr. President, the Library of Congress has prepared for the Senate, and there has been made available to every Member of the Senate, a memorandum revised down to November 1962. It is a very fine condensation of arguments, history, and material on this subject, and is under the heading "Limitation of Debate in the U.S. Senate." The last revision of this document, as well as some of its earlier drafts, if not all, was prepared by Dr. George B. Galloway, senior specialist in American government, of the fine Legislative Reference Service of the Library. On page 30, of the November 1962, revision, appears a tabulation of the votes in the Senate on the question of invoking the cloture rule. It is a tabulation of all votes, since the enactment of the cloture rule in 1917, upon proposals to invoke cloture. It begins with the Treaty of Versailles, in 1919; and ends with the vote taken last year on the so-called Communications Satellite Act. I ask unanimous consent that the entire list of Senate votes on the question of invoking the cloture rule be printed at this point in the RECORD, as part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Senate votes on invoking cloture rule [1]

Congress	Session	Date	Subject	Senator offering motion	Yeas	Nays	Congressional Record		Cloture
							Vol.	Page	
66	1	Nov. 15, 1919	Treaty of Versailles	Lodge	76	16	58	8555–56	Yes.
66	3	Feb. 2, 1921	Emergency tariff	Penrose	36	35	60	2432	No.
67	2	July 7, 1922	Fordney-McCumber tariff	McCumber	45	35	62	10040	No.
69	1	Jan. 25, 1926	World Court	Lenroot	68	26	67	2678–79	Yes.
		June 1, 1926	Migratory-bird refuges	Norbeck	46	33	67	10392	No.
69	2	Feb. 15, 1927	Branch banking	Pepper	65	18	68	3824	Yes.
		Feb. 26, 1927	Retirement of disabled emergency officers of the World War	Tyson	51	36	68	4901	No.
		Feb. 26, 1927	Colorado River development	Johnson	32	59	68	4900	No.
		Feb. 28, 1927	Public buildings in the District of Columbia	Lenroot	52	31	68	4985	No.
		Feb. 28, 1927	Creation of Bureau of Customs and Bureau of Prohibition	Jones (Washington)	55	27	68	4986	Yes.
72	2	Jan. 19, 1933	Banking Act	Robinson	58	30	76	2077	No.
75	3	Jan. 27, 1938	Antilynching	Neely	37	51	83	1166	No.
		Feb. 16, 1938	do	Wagner	42	46	83	2007	No.
77	2	Nov. 23, 1942	Antipoll tax	Barkley	37	41	88	9065	No.
78	2	May 15, 1944	do	do	36	44	90	2550–2551	No.
79	2	Feb. 9, 1946	FEPC	Barkley	48	36	92	1219	No.
79	2	May 7, 1946	British loan	Ball	41	41	92	4539	No.
79	2	May 25, 1946	Labor disputes	Knowland	3	77	92	5714	No.
79	2	July 31, 1946	Antipoll tax	Barkley	39	33	92	10512	No.
81	2	May 19, 1950	FEPC	Lucas	52	32	96	7300	No.
81	2	July 12, 1950	do	do	55	33	96	9982	No.
83	2	July 26, 1954	Atomic Energy Act	Knowland	44	42	100	11942	No.
86	2	Mar. 10, 1960	Civil rights	Douglas and Javits	42	53	106	5118	No.
87	1	Sept. 19, 1961	Amend rule XXII	Mansfield and Dirksen	37	43	107	20147	No.
87	2	May 9, 1962	Literacy test for voting	do	43	53	108	8058	No.
87	2	May 14, 1962	do	do	42	52	108	8294	No.
87	2	Aug. 14, 1962	Communications Satellite Act	do	63	27	108	16442	Yes.

[1] Many cloture petitions have also been withdrawn or held out of order since 1917.

Mr. HOLLAND. Mr. President, I am sure Senators have noted that I named the Treaty of Versailles as the first proposal on which the cloture rule was subjected to the acid test of Senate opinion. Of course, Senators know that the issue of whether to arm our merchant ships was the occasion or the reason for the development of the cloture rule in 1917. However, I hasten to state for the RECORD that it was not necessary to utilize the cloture rule in order to decide that question because President Wilson was advised, and so found, that he had authority, by Executive order, as Commander in Chief, to meet that condition and to enable our merchant ships to be armed against the perils of German submarines. So, really, the first test did not come until 2 years later.

Mr. HILL. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to my distinguished friend.

Mr. HILL. Is it not true that but for the 20th amendment to the Constitution, which put an end to the so-called lame-duck sessions—namely, the second session of each Congress, which, as the Senator from Florida will recall, automatically terminated on March 4—we would not have rule XXII as we have it today?

Mr. HOLLAND. I believe the Senator from Alabama is correct. Perhaps this is—in the opinion of some, at least—one slender justification for the existence of the so-called lame-duck sessions—although the Senator from Alabama and I probably would not so find it.

Mr. HILL. Yes.

Mr. HOLLAND. At any rate, he is correct in the suggestion he has made.

Mr. President, instead of placing in the RECORD additional compilations—which exist in this document prepared by the Library of Congress—I believe I shall limit my remarks at this time to the compilation which deals with the 27 items involved in the Senate votes on the question of invoking the cloture rule, since that rule was adopted, in its original form, in 1917.

The first comment I make is that in five instances the votes on the question of invoking cloture were such as to invoke cloture—that is to say, to bring the debate to an end and to force the Senate to vote upon the matters involved in those five cases.

Those cases are as follows:

First. The question of ratification of the Treaty of Versailles. On that cloture vote, the Senate voted 76 to 16, on November 15, 1919.

Second. The World Court issue, on which the cloture vote was taken on January 25, 1926. The vote on the question of invoking cloture was 68 to 26.

Third. The branch banking bill the vote came on February 15, 1927, and was 65 to 18, on the question of closing the debate.

Fourth. The question of creation of the Bureau of Customs and the Bureau of Prohibition. That vote was taken on February 28, 1927; and the vote on the question of invoking cloture was 55 to 27.

Fifth. The vote taken on August 4, 1962, when, in bringing to a head the question of passage of the so-called communications satellite bill, the Senate voted 63 to 27 in favor of closing debate.

All the other items on the list compiled by Dr. Galloway are left for our close inspection to see what has happened. We must see whether or not failure to adopt cloture at the time the measure was suggested meant the defeat of the proposed legislation and, if so, what was the character of the proposed legislation that was so defeated. I will not go through the items one by one, but I shall make a general statement which will be borne out by the particular compilation I have in my hand and from others in the document, to the effect that every other item in this long list of proposed legislative acts, comprising almost every type of legislation upon which the Senate acts, was later—and with not too great delay—enacted into law, sometimes in its precise form and sometimes in an amended form; but in no case, except in the one case I shall mention as covering extreme civil rights cases, was there any extensive period of waiting before the proposed legislation was enacted. I think that is very important because the RECORD shows that from 1917 until now, on five measures which were regarded as most important by the Senate to the Nation cloture was immediately voted, and that on all the other matters listed, except the more extreme civil rights cases, the bills were passed thereafter without great delay.

I should like to read into the RECORD some of those bills without stating the dates on which they were enacted, or whether they were enacted in their precise form, in relation to which cloture was not voted, and which were passed in some amended form. The measures covered which were later enacted into law were as follows:

The emergency tariff; the Fordney-McCumber tariff; the Bird Migratory Refugee Act; the retirement of disabled emergency officers of the world war; the Colorado River Development Act; a bill covering public buildings in the District of Columbia; a general Banking Act; and the Atomic Energy Act, which most of us refer to as the McMahon Act, because we served in the Senate with the distinguished Senator who was the leader in bringing that act into existence. I believe that list covers most of the measures on which cloture was refused, but which were later passed either in their precise form or in an amended form, generally slightly amended.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Is it not generally correct that in cases in which bills were of such a nature that they would actually provoke unlimited debate or a so-called filibuster, from hindsight, even those who would favor the proposed legislation are usually compelled to admit that there was much merit to the arguments made by those who engaged in a so-called filibuster against that type of proposed legislation?

Mr. HOLLAND. What the Senator has said is true. Only a few minutes ago I said that I felt quite sure that no Senator would dare to stand on the floor of the Senate and indulge in unlimited debate unless he felt sure that his cause was such that other Senators would believe in his sincerity and in his dedication to the righteousness of his cause. They must know, too, that he believes sincerely that his people want him to do what he is attempting to do or he would never dare to jeopardize his own good will in the Senate and their good will by taking that position.

Mr. LONG of Louisiana. With regard to the so-called filibuster over the Atomic Energy Act, is it not correct to say that those who engaged in extended debate against that bill were eventually successful in compelling a majority to accept certain amendments which the minority felt were required unless that bill was greatly to violate the essentials of the national interest?

Mr. HOLLAND. It is true that certain amendments to the bill which was pending when cloture was requested and denied were written into the measure as it was finally passed. My recollection is, as stated by the Senator from Louisiana, that those amendments written in were a part of the cause of those who had engaged in the prolonged debate. I do not believe that all the conditions which they insisted upon were included in the amendments, but my recollection may be faulty in that regard.

Mr. LONG of Louisiana. If I recall correctly, one of the amendments which was insisted upon and agreed to by the Senate was an amendment providing for situations in which patents were to be obtained on atomic energy, requiring that there be compulsory licensing for a reasonable fee in order that competition might enter into the field in which someone held patents. Has the Senator ever heard anyone express serious criticism in relation to that provision, which was agreed to as a part of the final settlement of the atomic energy controversy?

Mr. HOLLAND. I have not. My own feeling is that when amendments have been offered, after cloture has failed, as they sometimes have been, generally they have brought about a composition of ideas and a compromise which has proved to be in the public interest. I regret that I do not have the exact details of the Atomic Energy Act before me, but my recollection is that most of the contentions of those who opposed the bill and opposed cloture were finally embodied in amendments to the bill by the time it was actually passed.

Mr. LONG of Louisiana. Is it not true that a great Nation consisting of 180 million people, 50 States, and comprising land about 5,000 miles in breadth from the most eastern point to the most western point—perhaps more than that—interests are so substantial and so diverse that it is desirable that those who would be seriously and adversely affected by such legislation should at least have some opportunity to obtain a compromise of the differences between a majority and a minority, so that the less powerful forces of our country might be considered in a final resolution of some of these questions?

Mr. HOLLAND. I think it is very important. In a Nation as great and

diverse as ours, and with geographic differences as great as they are, and other differences in every field as variant as they are, it is necessary to have room for some give and take before important legislation designed to govern the entire nation is passed. I agree with the distinguished Senator.

Mr. LONG of Louisiana. Is it not true with regard to the troublesome issues we have had in our day—and I can only speak with respect to the 14 years that I have been a Senator, although I think it would be correct to say that it would go back beyond that point—that progress has been made toward resolving these issues; and the fact that there have been checks and balances and some restraint over the tyranny of a majority has made it possible for our Nation to adjust itself to the course on which it seems to have embarked?

Mr. HOLLAND. I believe that is correct. I thank the distinguished Senator.

Mr. President, to go back to the list, if I may, I wish to dispose first of three measures for which cloture was denied which were handled in a more moderate way than was proposed in the three measures. These measures—one pending in 1942, one in 1944, and one in 1946—were measures which proposed the abolition of the poll tax by Federal statute, and in each instance that brought on unlimited debate in the Senate, and in each instance cloture was applied for and denied.

The Senate knows that there have been many of us who have felt that the constitutional approach was the only sound one in that regard. A constitutional amendment was offered throughout this period of time, and eventually the vast majority of the Senate and the House as well approved that constitutional amendment, which would do away with the poll tax requirement as a requirement for voting for President, Vice President, Senators, and Members of the House of Representatives; and that constitutional amendment, as proposed, is now in the laps of the legislatures of the States and has been ratified by several legislatures, including New Jersey and Illinois. I observe in the Chamber the distinguished senior Senator from New Jersey [Mr. CASE]. I am happy to say for the RECORD that the legislature of his State ratified the proposed constitutional amendment by the unanimous vote of both houses on December 3, 1962.

I am calling attention at this time, however, to the fact that this is a specific instance in which a measure which was advanced and which was regarded by many—and I was one of those who opposed the statutory approach—as extreme and unconstitutional, was finally set aside and a more moderate approach was approved which could have the approval of nearly all the Senate. My recollection is that the vote in the Senate on that measure was 77 to 16, with several Senators shown as approving, although they could not be present to vote on that day.

So these were three of the measures on which cloture was requested and denied which are now out of the way so far as Congress is concerned, having been handled in another form, which I regard as being more constitutional and moderate.

While some Members of the Senate may disagree as to the wisdom of the procedure, I do not believe there is a single Senator who will not concede that was a constitutional way to get at the problem.

Mr. President, the second of the groups of measures which were not allowed to have debate closed on them related to antilynching. There was one antilynching bill, as I recall, which was subjected to two attempts at cloture in 1938.

I think we all know, Mr. President, that measure has had an effect of an indirect sort. Lynching has disappeared, as it was known then in the field of civil rights or as applied to the racial matter. We hear of it no longer. I have heard of no disposition on the part of anybody to press that measure any further.

Mr. President, these were two examples of attempts to invoke cloture which failed because of the extremity of the remedy which was proposed for an admitted evil; that is, the taking of jurisdiction by the Federal Government over the States in the enforcement of their own laws, and the enactment of penalties against areas and communities in States which were so unfortunate as to have lynchings within their borders.

Mr. President, the next group of measures on which cloture was not enacted was a group of two FEPC measures, one in 1946 and one in 1950. As a matter of fact, the one in 1950 was subjected to two efforts to close the debate, so really there were three instances in which there was an attempt to enact cloture as to Federal FEPC legislation.

Mr. President, the reason for that is obvious. It is an extreme measure for the Federal Government to step into the field of racial and religious and other relations and to say that an employee shall not have any opportunity to select a fellow employee, that an employee shall not have an opportunity to select his employer, that an employer shall not have any opportunity to select his employee; but that all shall be subjected to the long hand of Federal law reaching out from Washington.

Without attempting to argue the merits of that proposal now, because that is not my intention, I wish to invite attention clearly to the fact that three of these items with respect to which cloture was denied were efforts to impose an extreme Federal FEPC law on the Nation, on the States, and on the people of the States.

The next of the items which I shall mention is a civil rights bill proposed by the distinguished Senator from Illinois [Mr. DOUGLAS] and the distinguished Senator from New York [Mr. JAVITS], which is simply styled a Civil Rights Act, because it covered very many of the approaches, or at least several of the approaches, to civil rights. Some of them were extreme, such as the third section, so-called, of the original Civil Rights Act and such as the question of taking away the right to trial by jury in certain cases, and other matters of that kind. Cloture was denied in that case.

There was an effort to amend this same rule, rule XXII, made on the joint resolution of the two leaders, the majority leader, the Senator from Montana [Mr. MANSFIELD], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], in 1961. Cloture was again denied. The reason for that at that time was that one of the same provisions which is embodied in the present proposals was involved, and the Senate felt it was too extreme to be made the subject of a mandatory, final vote on the Senate floor.

The last of the measures on which cloture was denied is covered by two cloture votes which took place last year on the so-called literacy test for voting; one on May 9 of last year and one on May 14, both relating to the same measure.

Mr. President, my point is that every important measure on which cloture was denied in the long history of this rule, from 1917 to now, some 46 years, has been enacted into law except a relatively few which lie in the field of extreme civil rights issues, and apparently that is the only field to which this proposed change in the rule can properly be held to apply.

I would like again to call attention to the fact that it is only the extreme measures that have been so treated as not to be subjected to cloture, extreme measures in the field of civil rights.

I have already mentioned the fact that the earlier effort to impose a ban on the poll tax by Federal statute was replaced by a proposed constitutional amendment, now being voted on by the States. That clearly shows no indisposition of the Congress or of the Senate to deal with the subject matter, but an insistence on more moderate methods. I am sure I correctly represent a great number in the Senate when I say we felt that was the only constitutional way to approach that problem.

Similarly, there have been perhaps five or six other civil rights measures which have been passed in the same period of time, all of which would come within the category of more moderate measures.

For instance, in 1957, the Civil Rights Commission Act was passed. It was not subjected to a long and extended filibuster, and no cloture was attempted on it, but the opponents of it—and there were some very determined opponents, and I was one of them—felt it was a matter which should go to a decision of the Senate and of the Congress and of the people, and we permitted the matter to come to a vote in the regular way. The measure was passed.

Again, in 1959, that measure was extended for an additional period of 2 years; and in 1961 it was again extended for 2 years.

So there were three more or less moderate measures passed for the setting up of a factfinding body to determine what are the facts in this troublesome field of civil rights, and to make recommendations to the executive and legislative branches of Government, so that progress may be made toward the solving of these problems.

That is moderate legislation. I call attention to the fact that no demands

were made for cloture preceding the bringing on of a vote on any of these three determinations made by the Senate in this field.

There was another measure which, I may say, occasioned deep concern to many of us here in the Senate. That was when the Selective Service Act came up for extension in 1950. As submitted by the administration, that measure, for extension of the Selective Service Act, provided authority for integration of the races in the Armed Forces of the Nation to whom the men who were selected under Selective Service should be assigned.

The Senate may recall that the Armed Services Committee of the Senate reported that measure back to the Senate with an amendment in it, generally referred to as the Russell amendment, which did away with that particular provision, because of the deep conviction of many that there should be continued the tradition of separate service, such as was the case among the members of the 9th and 10th Cavalry, and the 24th and 25th Infantry Regiments, all of which had very fine records, and which were made up of segregated, Negro members. It was felt that the following of tradition was preferable, and that much greater contentment would exist in many families in the Nation in the knowledge that when their sons were taken by Selective Service to go into the Army, Navy, or Air Force, it was understood they would serve with men of their own color.

Mr. President, you will recall, no doubt, that that question became the subject matter of a very vigorous fight on the floor of the Senate. Those of us who believed that segregation in the Armed Forces should be continued and that it would be to the best interests of all concerned lost out on that vote. The question came up as to whether we would insist, in a matter affecting the security of our country, and affecting the ability of the country to continue to supply manpower to the Armed Forces, on going to the length of a filibuster and demanding an attempt to force cloture.

I attended the conference at which that subject matter was discussed, and which was finally decided upon on no other ground than that we felt, distasteful as that provision was to some of us, in a matter vitally affecting the security of our country and the ability to replenish the personnel of our Armed Forces, we should not resort to unlimited debate.

I could continue to name other matters in the general field of civil rights in which there has been no resort to cloture. Because some of us have felt the subject of civil rights does sometimes involve questions of extreme importance to our areas, which may run to the question of peace or disorder, which may run to the question of peaceful relations among our people or complete lack of them and all sorts of violence, we have reserved to ourselves the right and responsibility to raise the question of unlimited debate only when the question was extreme and when we have felt it was the only way in which we could adequately take care of our responsibilities to our own people.

So this first fallacy which I have mentioned and discussed briefly is, I think, very clearly shown to be a fallacy. That is a contention of some of the able and highly reputable advocates of these proposed changes in the rule that more stringent limitation of debate is required in order to enable the Senate to approve measures important to the country's welfare. I think that contention is shown not to be in accord with the facts, and that, instead, the only failure to pass measures because of the length of debate has been in the field of extreme civil rights.

The second point I want to mention is another fallacy which I hear frequently. I have heard it here on the floor of the Senate; I do not think it will be voiced after what happened last year, but it has been voiced frequently on the floor of the Senate. It is that southern Members of the Senate will never vote for cloture even when legislation affecting the welfare or security of the country or well-being of its citizens is before the Senate.

I have already mentioned legislation with reference to that matter, but there are many other instances on important measures in which I and other colleagues from the South have voted to limited debate.

Let us recall that the cloture rule has been in effect since 1917. Let us recall that there have been five different applications of the cloture rule by a vote of more than 2 to 1 of the Senate.

I have already read into the RECORD the subject matter of those facts, but I would like to read now into the RECORD the report from the Library of Congress, or the substance of the report, as to what happened when these various cloture votes were taken.

First, I mention the vote upon the Versailles Treaty, which was in 1919, in which the vote was 76 to 16.

As is shown by the report of the Library of Congress, a very large number of southern Senators were among the 76 who voted for the closing of debate on the Treaty of Versailles. The report of the Library of Congress shows that 20 southern Senators were among those 76 who voted to close that debate, and it gives the names of those 20 southern Senators.

Mr. President, I am very happy to say that my two distinguished predecessors who were in the Senate at that time representing the State of Florida, Senators Fletcher and Trammell, both voted for cloture, and were among the 20 southern Senators, therefore, who supported cloture on that occasion.

The next time the matter came up, it was again a matter affecting vitally the whole Nation. It was the matter of the establishment of the World Court. On that occasion, on January 25, 1926, 18 southern Senators voted in the affirmative, so as to bring about the closing of debate, which was accomplished by a vote of 68 to 26. I am pleased again to note that both of my distinguished predecessors from Florida, Senators Fletcher and Trammell, voted in the affirmative on that occasion; in other words, they supported cloture.

I believe that too many of our friends have forgotten the fact that this is the record and the history that has come to us since 1917, namely, that southern Senators have customarily voted for cloture, except on matters in the field of civil rights.

The third vote was on the branch bank bill, in 1927. The vote was 65 to 18. Seventeen Senators from the South voted in favor of the cloture petition. I am happy to say than one of my distinguished predecessors, Senator Fletcher, voted "yea." One of my predecessors, exercising his own judgment and discretion, voted "nay." That was Senator Trammell.

The fourth time when cloture was voted was in 1927, 10 years after the original rule was adopted. That was on the bill creating the Bureau of Customs and Prohibition. Cloture was voted by a vote of 55 to 27, a very close vote. Twelve southern Senators voted to invoke cloture.

I am happy to inform the Senate that both of my distinguished predecessors, Senators Fletcher and Trammell, were among those who voted for cloture on that occasion.

Last year there came up another matter, in connection with which cloture was invoked, on a matter not affecting extreme civil rights, and that was on the satellite communications bill. At that time cloture was voted by a vote of 63 to 27.

I know that Senators present will recall that both my distinguished colleague, the Senator from Florida [Mr. SMATHERS], and I, voted for cloture on that occasion. I believe they will also recall that six southern Senators were found to be absent at the time of the taking of that vote, though they were not too far away, as other parts of the RECORD will indicate.

Therefore, it is very clear that that vote could not have been accomplished and cloture enacted at that time without the aid of those eight southern Members of the Senate.

I mention these things so that this fallacy, that southern Senators will never vote for cloture, regardless of how important a matter is, is just not so. They have customarily voted for cloture. The only reason why such a conspicuous departure from the fact could have arisen is because cloture has been so frequently associated with extreme civil rights in recent years—and the position of southern Senators on extreme civil rights is so well known it does not need discussion here—people have come to the conclusion that southern Senators will not vote for cloture on any type of bill. That is not the case. Southern Senators have just as much desire to see things done that are necessary for the country's good as anyone else, although they will not vote for extreme civil rights measures which will bring confusion and violence and greatly worsen racial tension not only in our part of the country, but throughout the entire Nation, rather than lessen it.

Mr. CASE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CASE. I thank the Senator for yielding to me. I wish to say, insofar as any statement of fact goes, no one in this body could or ever has questioned the accuracy of any statement the Senator from Florida has made, even though some of us do disagree with his conclusions from time to time, as in this instance.

I rise particularly to emphasize, if I might, this point in the Senator's remarks, since he himself has referred to the vote last year on the cloture motion in connection with the satellite bill. If it had not been for the votes of the two Senators from his State, his and his colleague's vote, and the absence from the Senate of six Members from the South, cloture would have been impossible. As he pointed out, that is most interesting. I do not wish to make an argument from that point at this time, because it would be an improper interruption of the Senator.

As the present situation exists, we can get cloture with the support of southern Senators, but we can never get it without their support. We will argue the implication of that fact on some other occasion.

Again I wish to thank the Senator for a factual and careful and courteous statement of the situation.

Mr. HOLLAND. I thank my distinguished friend from New Jersey. I wish it were true that it was impossible ever to get cloture without the votes of the southern Senators.

Mr. CASE. Not last year, at least.

Mr. HOLLAND. However, I wish to call the distinguished Senator's attention to the fact that there are only 17 of us here from the South and that that lacks a good bit of being the 34 now required, and that there always have to be good, sturdy friends, who will have convictions similar to those we have and who are willing to stand with us for what we believe in in connection with cloture.

The sole point of my remarks is to call attention to the fallacy—and it has been a fallacy—which has existed in the minds of many people, who have gotten so obsessed with the civil rights question that they have forgotten about other things, namely, the fallacy that the South will never vote for cloture on any matter, when the South has voted, as a matter of fact, on cloture that has been obtained, meaning the five occasions I have given, and which could not have been obtained without southern votes.

I wish there were 34 Members here representing the South. I think the Nation would be in better shape, if I may say so.

However, it does not happen to be so that on occasions we can stretch our votes out to cover the one-third of the membership present and voting, if every southern Member is present, unless others want to help effect cloture.

Mr. CASE. I say it is more than a coincidence that in every one of the successful cloture votes, since the rule has been in effect, it has been necessary to have the votes of southern Senators for the adoption of the cloture petition. I believe it is most significant that that is so. We do not disagree on the fact, although we can disagree on the implication.

Mr. HOLLAND. I thank the Senator for his concession.

Mr. CASE. It is no concession. It is something to be argued at a later date.

Mr. HOLLAND. What he calls it is up to the Senator, but I must be grateful to him for making it clear that he recognizes the fact that no single cloture could have been accomplished in the Senate up to now without southern votes, which made it possible at the time of each cloture voted. Of course that had to be accomplished with the aid of votes of Senators from other parts of the country, who, I must say, are entitled to just as much credit as are the Senators from the South who voted in that way. But I think that too few people who are ardent advocates of civil rights, and who seem to have forgotten everything else except these extreme civil rights questions, remember the record of the actual voting on the five clotures which have been accomplished. I thank the Senator from New Jersey for his comment.

Mr. President, the distinguished majority leader has indicated that he believes this debate, though not unlimited, may have proceeded far enough this afternoon. I am always glad to accommodate him. I shall be very glad to terminate my address with the understanding that not less than an hour may be allowed me to finish this, my first address on this subject, this year, because that is about the amount of material I have left. Will the Senator accomplish that in the unanimous-consent request?

Mr. MANSFIELD. That is perfectly agreeable to the Senator from Montana.

RECESS UNTIL MONDAY

Mr. MANSFIELD. Mr. President, in view of the fact that this is a special day for one of the two really great parties in this country, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 51 minutes p.m.) the Senate took a recess, under the order previously entered, until Monday, January 21, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 18 (legislative day of January 15), 1963:

DEPARTMENT OF LABOR

Daniel Patrick Moynihan, of New York, to be an Assistant Secretary of Labor, vice Jerry R. Hollaman, resigned.

COUNCIL OF ECONOMIC ADVISERS

John Prior Lewis, of Indiana, to be a member of the Council of Economic Advisers, vice Kermit Gordon.

WORLD HEALTH ORGANIZATION

Dr. James Watt, of the District of Columbia, to be the representative of the United States of America on the Executive Board of the World Health Organization, to which office he was appointed during the last recess of the Senate.

DEPUTY SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

William T. Gossett, of Michigan, to be Deputy Special Representative for Trade Negotiations, with the rank of Ambassador Extraordinary and Plenipotentiary.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Robert E. Cushman, Jr.
Richard G. Weede
Leonard F. Chapman, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

John C. Miller, Jr. Rathvon McC. Tompkins
Louis B. Robertshaw John H. Masters

EXTENSIONS OF REMARKS

Each NATO Country Must Assume Full Responsibilities of Membership—Acting Secretary General of NATO, Hon. Guido Colonna, Addresses Paris Meeting of NATO Parliamentarians

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, January 18, 1963

Mr. RANDOLPH. Mr. President, as a member of the North Atlantic Treaty Organization, the United States is a shareholder in a 15-power partnership for world peace—a cooperative effort which demands from each participant a strong sense of understanding, trust, and responsibility. And, as our efforts are set in an alliance of 15 sovereign and independent states, and since the degree of cooperation and agreement among the member governments will necessarily dictate its effectiveness, it is essential to the interests of the free world that we unceasingly strive to reach a common accord.

One tangible evidence of a determined drive to attain this unanimity was the conference of parliamentarians from NATO countries in Paris last November. As a member of the official delegation from the Senate of the United States, it was my privilege to be in attendance, and, along with a number of colleagues, to participate in meetings aimed at promoting a singleness of purpose among treaty nations.

One significant highlight of the session was an informative address by Hon. Guido Colonna, who served as Acting Secretary General of NATO during the illness of Secretary General Dirk U. Stikker.

Mr. Colonna began his remarks with an informative digest of the changes in world affairs which had taken place in

the last year, and the relationship of these alterations to the NATO alliance. He also discussed the current status of NATO in vital areas of political relationship, military preparedness, and civil emergency planning. The Secretary emphasized dangers which face the treaty countries, not only military, but ideological and economic as well.

In commenting on recent Western optimism over signs of strain between elements of the Communist bloc he observed that—

Anything that may make for more variety and more independence behind the Iron Curtain is all to the good. Here again, however, we should not indulge in wishful thinking and we should not base our policies for today on what may—or may not—happen tomorrow. A less monolithic, less oppressive communism will not necessarily be a weaker communism. It may well be stronger because more firmly based on public support: and indications are not lacking that this may be so.

Mr. President, fully aware of the far-reaching implications of a cooperative spirit among the NATO countries, it is nevertheless my conviction that the United States should move to stimulate a more proportionate degree of participation in alliance activity by some other member nations. Certain of these Allies have, of course, been weakened by shortages of materials and manpower, and they have not yet fully recovered from the devastation of World War II. But, the United States has been shouldering a far larger portion of the military and financial burdens, and it is time that we make clear our desire that others also assume their full responsibilities.

I request that excerpts from the address by Secretary Colonna before the NATO Parliamentarians Conference be reprinted in the CONGRESSIONAL RECORD. Additionally, I request that statements of mine dealing with the need for equal adherence to NATO commitments, as reported in the Elkins Inter-Mountain, Elkins, W. Va., December 17, 1962, be likewise reproduced.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM A SPEECH OF THE ACTING SECRETARY GENERAL, AT THE NATO PARLIAMENTARIANS CONFERENCE IN PARIS ON NOVEMBER 12, 1962

Mr. Chairman, ladies and gentlemen, it is a high honor for me, as the Acting Secretary General of NATO, to welcome you at our headquarters building on the occasion of your annual conference. At the same time, I am all too well aware that this honor has fallen to me only because, owing to his recent illness, the Secretary General, Mr. Stikker, could not be here today himself. Mr. Stikker has, however, asked me to express to you his most cordial wishes for a successful meeting and his profound regret at not being able to be with you.

He has—I know you will be glad to hear—made a remarkable recovery from what was a pretty serious operation; but even he still needs some rest to be fully able to resume his duties. There is every reason to hope that he will be back with us very soon. Meanwhile, Mr. Chairman, I hope I may convey to him the conference's best wishes for a speedy and complete recovery.

During this important conference, as indeed at any other time of the year, the International Secretariat will do everything in its power to lend you such help and facilities as it can in order to promote the successful work of this gathering.

We attach, as you know, the greatest value to your work, because we are fully aware that what we are trying to do, we can never accomplish in a vacuum. To succeed, we need the full support of the public opinion of our 15 member countries, and this means, first and foremost, that of the elected representatives of our allied nations. You, parliamentarians, and we, officials, must work hand in hand in mutual trust and in a common conviction as to the common goal to reach.

Every word spoken by you during this conference, every idea thrown out and every resolution passed by you will be read and listened to by all of us with the greatest respect and with the greatest interest. The wishes expressed by you and the suggestions you make will guide us in our future work as they have in the past.

I now wish to turn to the world situation in general and try to assess what changes there have been since last year. We should be deceiving ourselves if we were to say that there had been any diminution in the Soviet threat. Indeed, in some ways, it may even have increased. There is, therefore, no reason for either complacency or slackness on our part. Allow me to review the elements of the situation one by one.

The Soviet Union continues to gain economic, technological and military strength. It is true that she, as well as China and some of the satellites, encounters great difficulties in food production and the management of agriculture. The laws of nature often refuse to submit to the laws of Marx and Lenin. It is equally true that the standard of living in the Soviet Union, not to speak of that of Communist China, continues to be miserably low compared with that of the West. Progress is painfully slow, thus often straining the patience of the Russian masses, as manifested in the disturbances in some parts of southern Russia last summer.

But let us not be misled by the undoubted shortcoming in the Soviet system into underrating the expansion of Soviet industrial power, the rapid and in some respects admirable achievements in the scientific and technical field, and the formidable military build-up which these have enabled the Soviets to achieve. We in NATO have, to be sure, considerably improved our military posture. Our alliance possesses a formidable deterrent in time of peace and impressive fighting power in the event of war. The Soviet leaders must realize this. They must also realize that if they were to force a conflict upon us, they might certainly inflict fearful damage and loss on the whole Western alliance, but they would also provoke their own total destruction. That is the balance on which the peace of the world precariously rests. But that balance is not a static thing. If we have not stood still, neither—we may be sure—has our adversary. That is why we cannot be content with our efforts, but must renew and redouble them.

Over the years, there has been a gradual change in the face of communism. Since the death of Stalin, there have been one or two cracks in the grim, monolithic facade. Here and there, a little freedom, a little light has been allowed to seep in. We in the West have watched these developments with interest and not without sympathy. Not one of us would grudge the Russian people some relaxation in the burden they bear. None of us but would be overjoyed if they could have even a fraction of the right and freedom we take for granted. We have no quarrel with them: our enemy is the system under which they are forced to live. There may have been what some people call a thaw. The Soviet leaders may indeed have realized that the human spirit, even after 40 years of despotism, can stand so much tyranny and no more. But let us have no illusions. The central structure of communism remains. If anyone is inclined to believe that there has been a change of heart, let him look at the wall in Berlin, and at the tragedy and shame it has brought.

We know, it is true, that the Communist empire has its ideological and political strains and stresses. We know too that what in the horrible jargon of kremlinology is called "polycentrism" (ugly subjects seem to generate ugly words) is more and more replacing the monolithic bloc of Stalin's day. We have no reason not to welcome this. Anything that may make for more variety and more independence behind the Iron Curtain is all to the good. Here again, however, we should not indulge in wishful thinking and we should not base our policies for today on what may—or may not—happen tomorrow. A less monolothic, less oppressive communism will not necessarily be a weaker communism. It may well be stronger, because more firmly based on public support: and indications are not lacking that this may be so.

So much for our Soviet adversary. Let me now briefly review our own position today compared to our situation last year. Economically, the Alliance as a whole continues to prosper and progress. Production in most countries of the Alliance is still at an all-time high, though the rate of growth in some of the major industrial countries has levelled off, and we have had one or two warnings—in the stock market for example—that we cannot take our present momentum for granted. Encouraging progress is being made in the economic and social development of those countries and regions in the Alliance which had hitherto lagged behind. In the case of Greece and Turkey, two consortia have been set up under the aegis of OECD. This development warrants new hopes for increased and better coordinated economic assistance to these two countries.

The Common Market has proved an outstanding success exceeding even the hopes of its well-wishers. Its radiation and attraction is felt in every part of the Western World and far beyond.

The determination of the United Kingdom Government to negotiate acceptable terms for its entry into the Common Market will, we hope, bear fruit before long. With the addition of Great Britain and other Western countries, and with the association of large parts of Africa, the Common Market would become one of the most powerful units in the world and an entirely new element in world affairs.

If we needed any reassurance on the importance of the Common Market, it would be amply provided by the reactions of the other side. First of all, the line was that co-operation among capitalists was doomed to failure owing to the contradictions of a system under which—as some eminent Marxist once said—if one capitalist announced his intention of hanging himself, the rest would compete with one another to sell him the rope. It was indeed embarrassing when in a Europe which seemed ruined by war, rent by dissension, and doomed, by all the rules of the Marxist game, to decadence and decline, our free economy not only refused to lie down and die, but staged a spectacular renaissance. Later, the Soviets seem to have admitted to themselves that the Common Market could not be laughed or vilified out of existence. They would still like to see it fail. They, and those who consciously or unconsciously play their game, are still trying to prevent its further extension and to misrepresent it to the underdeveloped nations of the world as a cunning device to perpetuate their colonial bondage. But for better or worse they have had to accept that it is a force to be reckoned with—and lived with.

Politically, our alliance is in good health, Khrushchev's hopes to divide us on the issue of Berlin have been disappointed. We have stuck together, and jointly we have stuck to our guns. Most recently the alliance has shown spontaneous and magnificent solidarity with the United States in the Cuban crisis. Other issues which threatened to divide us in the past have faded into the background. Intensive political consultation carried on over the years is beginning to show its fruit, not necessarily by producing unanimity on each and every issue—which is perhaps not essential or even desirable in a community of free peoples—but in creating a common pattern of thought and of reactions to political events around the globe. In other words, we are not only overcoming past divisions, but we are in full process of growing together into a true family of like-minded nations. In this respect the spectacular Franco-German reconciliation—a long-evolving process whose completion was symbolized by Dr. Adenauer's visit to Paris and General de Gaulle's visit to Germany—is in its way as positive and momentous an event for the alliance as President Kennedy's declaration on 4th July of this year on interdependence between the United States and Europe. Europe must unite. None of us here, I think, would gainsay that. But we must not allow the bonds of unity which are growing closer every day to divert us from our goal of a true Atlantic community, or allow any contraction or conflict to arise between the two objectives of European unity and Atlantic solidarity. The Atlantic Ocean must unite, and not divide, the free world.

As to the development and strengthening of our Military Establishment, I have already had something to say in connection with the recommendations of your conference of 1961. I would now like to go into this question in more detail because it is, after all, an essential element in any review of Western strength and achievements that we wish to make.

You are all aware that since the Oslo Conference of May 1961 the North Atlantic Council has been engaged in a thorough examination of NATO defense problems with a view to determining long-term planning and policies. In his opening address to you last year, Mr. Stikker described some of these problems, particularly those relating to the control of nuclear weapons, and also explained to you why the council had temporarily to interrupt this study in order to give the highest priority to the urgent build-up of our military forces in face of the Soviet threat in Berlin.

I should, first of all, like to assure you that the determination and solidarity shown by NATO countries after the construction of the wall in Berlin in August 1961 has in no way slackened and that as a result the efficiency and state of readiness of the forces under SACEUR's command has greatly improved since last year and will continue to improve. But we have still a long way to go before we can be sure that our shield of conventional forces is fully capable of playing its role in the overall deterrent to aggression.

There is another aspect of our work in NATO to which I would like to refer this morning, that is civil emergency planning.

We regard progress in the wide field of planning and preparing for war in the civil sectors as of vital importance. Civil emergency planning is an essential complement to the NATO military buildup.

If our preparations in the civil field are obviously inadequate, the credibility of the deterrent is lessened. If war should be forced upon us, effective preparations in the civil sectors, both nationally and internationally, offer the only practicable means by which our populations could hope to survive and to sustain the allied war efforts to a successful conclusion.

We recognize of course that national preparations must remain the responsibility of the individual member governments. We recognize also that financial, and in some cases psychological, considerations cannot but hinder the full implementation of the wide range of measures ideally required.

We now review annually the progress made both nationally and internationally, and a comprehensive but, I regret, secret report is prepared each year by the senior civil emergency planning committee. Each government will thus be able to judge the success or failure of our international efforts and the extent to which they and their fellow governments have met national goals.

I will not hide from you that much remains to be done, but I am satisfied that the tasks with which we are confronted are being tackled with energy and determination by a sound and satisfactory organization acting under the direct auspices and responsibility of the North Atlantic Council itself.

At the same time I would like to point out the importance that we attach to the aid you can give in this as in other fields. Your support for legislation and financial measures aimed at enabling your respective governments to prepare for war in the civil fields is vital to the success of our combined efforts.

I should like now to look further afield. In a world in which two powerful alliances maintain an uneasy equilibrium, the position of those countries which remain outside the two alinements, is clearly of cardinal importance. This applies both to those countries which have formally adopted a policy of nonalinement, and to those which, though their political alinement is clear, do not actually belong to any particular grouping. Developments in those third countries are of the greatest importance to our alliances and we must pay the closest attention to them.

With this in mind I should like to try to draw up a kind of balance sheet of developments favorable and unfavorable to the West in those parts of the world which are not covered by NATO or the Warsaw Pact.

In the Far East, we watch with satisfaction and confidence the growing economic power, the social and political stability, and the sense of international responsibility of Japan.

In southeast Asia, the Geneva agreement has put an end to the dangerous fighting in Laos, though we still have considerable misgivings about what seem to be circumventions, if not breaches, of the agreement by the Communists.

In South Vietnam, the bitter guerrilla warfare between pro-Western and Communist forces continues, though the massive aid given by the United States appears to have given the edge of advantage to the West.

By a strange reversal of fortune, India—the aggressor of last year—has herself become the victim of a massive, ruthless and determined aggression by Communist China. It is too early to say how the conflict will develop. But there can be no doubt that it will have profound and far-reaching effects. It will certainly disillusion the Indian leaders and the Indian masses still further about the true nature of communism. The Indian Communists themselves have been unable to find any justification for China's action. It may well shake to its foundations the whole philosophy of nonalinement on which the Indians and many others, following their example, have based their whole foreign policy.

Mr. Nehru himself has virtually admitted that for the past 15 years, India has been living in a fool's paradise. It has already created a major problem in Sino-Soviet relations. Can the Soviets continue to give economic and even military aid to a power which with the other half of the Communist world is in a state of undeclared war, and what will happen to their relations with China if they do?

The Middle East has remained relatively calm, except for the revolution in Yemen and the Kurdish rebellion in Iraq, which General Kassam appears to be unable to put down, and which may yet have wider repercussions.

In north Africa, the farsighted and courageous action of the French Government has ended the 7 years' nightmare in Algeria. It has opened the way for a new pattern of cooperation, on a basis of sovereign equality, between two countries whose fates have been closely linked for more than a century. It has afforded France the opportunity of resuming in the near future her rightful role in the military effort of our alliance. It is our earnest hope that the great work begun at Evian will continue and that the new Algeria will develop along democratic lines and in close friendship and cooperation with France.

In Africa, south of the Sahara, the process of decolonization has gone steadily and peacefully on.

The road from colonial dependence to full sovereignty is a hard one for both sides to travel. There have been difficulties, and there are bound to be many more. But all that has happened over the past year has confirmed the wisdom of the decision to end the colonial link in freedom, order, and friendship. Even in the Congo, the gradual emergence from chaos and civil war affords some hope that some measure of stability may return to that unhappy country. Such progress as has been achieved has been won against heavy odds. The Soviet bloc has been concerned only to exploit and intensify internal divisions. But with patience and goodwill, order may yet prevail.

To turn now to Cuba, the swift and courageous action of President Kennedy has foiled a major threat to the security of the West and the peace of the world. It is too soon to say how things may turn out. It may be that this brave and well-judged stand may have opened up new possibilities and new prospects. Many of us may think so. But in our relief that, this time, catastrophe has been averted let us not forget that negotiations between East and West have been burdened for too long by a legacy of all too well founded suspicions of Soviet intentions and all too blatant Soviet bad faith. The events of the past few weeks can only have added to that burden. It is hard to negotiate with confidence with an interlocuteur whose main weapon in debate is the lie direct.

While the credit for the outcome of the crisis must be given in full measure to the courage and steadfastness of one country, and indeed of one man, I feel certain that the hand of the President of the United States was greatly strengthened by the response of the Organization of American States and by the full support he was given by this alliance. Therein lies a lesson for the future.

On the whole, and despite the alarms and excursions of the past weeks, I think the picture of the uncommitted world emerging from the survey is an encouraging one. Decolonization has continued swiftly and in general peaceably. Gradually, some measure of order and stability seems to be emerging in the southern half of the world. And—perhaps most important of all—slowly, painfully, but nonetheless surely, the neutrals are beginning to understand the realities of the world situation and the realities of world

power. The shedding of illusions is always a painful process. We have found that ourselves. It is likely also to be a long one. We shall need all our patience and all our sympathy. But if we keep our heads, and steadily and consistently pursue our policy of promoting the independence, the economic well-being and the social stability of the emergent countries, commonsense is bound to prevail in the end. The neutrals are learning fast. Sooner or later they will realize—as many of them do already—that neutralism only makes sense in a world in which the opposing forces are more or less evenly balanced: that the attempts to upset that balance come from one side and one side only; that they themselves could not survive in a world dominated by communism; and that they bear a heavy responsibility not to upset the balance in favor of those who are in truth the last real and unrepentant imperialists of today.

However, provided we have the willpower to see things through, there is good reason to hope that peace will be preserved and that in the long run our side will win the race. There are many signs and facts to encourage us. Our economic strength and with it our social stability continue to grow. In the scientific field, we are making great strides forward and the recent splendid successes of our U.S. ally in the space field give us hope that the headstart which the Soviets have had in this field will be gradually diminished and finally overtaken by the West. Politically, our solidarity and cohesion as allies are growing and the prospect of a permanent interdependence of a united Europe and a United States of America, opens entirely new vistas into a better future.

Our greatest handicap often seems to be our lack of confidence in our own strength and our skepticism about our own values. A more positive, a more offensive psychology appears to me the necessary complement to a defensive strategy in the military field. And let us never forget that the West is not only NATO, but all those who, whether they are formally associated with us or not, share our aspirations and our way of life. In resolutely pursuing its policy of peace through strength, this alliance is fighting their battle as well as its own.

Mr. Spaak, in a recent and most eloquent speech before the United Nations, appealed to the Soviets to recognize the peaceful character of the Western system and to show through deeds that they are in earnest with their slogan of peaceful coexistence. This speech and this appeal received one of the most thunderous ovations the United Nations General Assembly has witnessed. Will it receive any response? On the answer to that question hangs the whole future of the world.

We live in the midst of many and great dangers, but the dangers that beset us are matched by the opportunities within our grasp. Let us seize them boldly and advance to our goal of a world in which war shall be no more.

[From the Elkins (W. Va.) Inter-Mountain, Dec. 17, 1962]

RANDOLPH SAYS UNITED STATES MUST INSIST ALLIES MEET OBLIGATIONS

Insistence by the United States that its partner governments of the North Atlantic Treaty Organization meet their defense obligations, is imperative in the belief of U.S. Senator JENNINGS RANDOLPH, who returned only recently from a trip to Europe and a visit to the Supreme Allied Headquarters in Paris.

Before leaving Elkins this morning, following a visit here on Sunday, the legislator indicated that America is 10 percent over its commitment for conventional forces, while many other countries in the alliance against communism (Soviet Russia) are below promised strength.

"It is a fact that the covenant has not been adequately met by several nations," declared Senator RANDOLPH, who stated that "we have been the bulwark in this cooperative effort and have reason to be critical of certain deficiencies of our allies. They have, of course, been weakened by some shortages of materials and manpower and they have not recovered from the devastation of actual war destruction. But the United States has been committing 10 percent of its gross national product to defense as Great Britain allocates but 7.4 percent which is a little more than is done in France. In West Germany, the figure is only 5 percent but there will be an increase soon in that crucial area of West Europe."

"We know that the average of 1.1 percent of population in the armed forces in the NATO nations as a group does not equal the 1.5 percent of America.

"A month ago in Paris at the Supreme Allied Headquarters, I was told by Gen. Lauris Norstad, top commander, that we must have a stronger conventional force if our deterrent shield is to command respect of the Communist leaders, I fully agreed with his experienced conviction and so stated in public addresses in several cities in West Virginia."

Senator RANDOLPH went on to stress that citizens of West Virginia are concerned that NATO be more effective and they have been studying the cost in our budget of the alliance.

Later today at Salem College, the State's senior Senator will speak to the students there on the subject of "the alliance and our part in the organization."

"NATO," said the Elkins citizen, "is generally viewed by the public as primarily a military alliance. The success of this historically unusual venture is due in large part to the military shield which has prevented a Soviet takeover either by direct aggression or internal subversion, but there are other achievements which should be recognized.

"The fundamental objective of the alliance to maintain peace and stability having been achieved, NATO found itself forced to counter Soviet offenses in the political, economic and psychological areas. This led to purposeful cooperation, involving prior consultation among the nations in order to develop a common political front. Exchange of information and views before announcing a national policy has created mutual understanding and trust, especially as such a procedure forces each nation to consider and understand the point of view of its fellow nations before deciding on its own policy. Thus a degree of unanimity has been achieved, without sacrifice of national principle or national policy, unique in the history of the world.

"As a member of NATO, we are shareholders in a 15-power partnership for world peace—a cooperative effort which demands from each participant a strong sense of understanding, trust, and responsibility. And, since our effort is set in an alliance of sovereign and independent states, and since the degree of cooperation and agreement among the member governments will necessarily dictate its effectiveness, it is essential to the interests of the free world that we unceasingly try to reach understanding and accord.

"Though we attempt to maintain open and realistic diplomatic relations with nations the world over, it is in the scope of our NATO commitments that we perhaps meet our most challenging tests of loyalty, determination and resolve."

Hon. Samuel Woden Gralnick Receives the Eloy Alfaro Grand Cross and Diploma of the Eloy Alfaro International Foundation, of the Republic of Panama, in Recognition of Humanitarian and Philanthropic Services to His Fellow Man

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EXTENSION OF REMARKS
OF

HON. PAUL F. SCHENCK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, January 18, 1963

Mr. SCHENCK. Mr. Speaker, under leave to extend my remarks, I insert the highlights of the proceedings of the Eloy Alfaro International Foundation, of the Republic of Panama, on the occasion of the luncheon and ceremony in the gold room at the Van Cleve Hotel, Dayton, Ohio, at which the award was made to Mr. Gralnick on November 7, 1962. This high honor was bestowed on him in the presence of a very distinguished group of his friends.

The invocation was delivered by Rabbi Selwyn D. Ruslander.

Dr. Herman A. Bayern, American provost, was then introduced, and he set forth at length the achievements and accomplishments of former President Eloy Alfaro, President of Ecuador at the turn of the century, as follows:

We are gathered here today to honor a great humanitarian and philanthropist, Mr. Samuel Woden Gralnick, for his distinguished public and private services to mankind and in further recognition of his efforts toward the establishment of international peace.

But because many of you may not be fully aware of the background of the foundation, I would like at this point to describe it to you. The foundation was authorized by decree issued by His Excellency, Domingo Dias Arosemena, the President of the Republic of Panama, on January 22, 1949, to perpetuate the memory of Eloy Alfaro, martyred ex-President of Ecuador, a movement which has been devoted to the task of encouraging the study and propagation of the liberal ideals and principles, for which this Ecuadoran statesman and leader fought and died for during more than a half century.

General Alfaro was a soldier, patriot, statesman, and martyr, was a citizen not only of his native Ecuador, but of all the Americas. The personal integrity, the unwavering defense of the principles of truth, justice and friendship among nations, the self-control and self-sacrifice that marked about a quarter of a century of unflagging service to his fellowmen, extended beyond the confines of his own country, Ecuador.

He was a rebel and a conspirator—but his rebellion and conspiracy was directed against hatred, injustice, discord, and tyranny. He was the leader of a generation fired with the hope and desire that responsible political action would enhance the prosperity of their country and the welfare of their people. General Alfaro advanced the cause of his nation by setting up the judicial system, and expanded her schools and colleges and other institutions of learning.

How the world needs another Alfaro today. History records that 70 years ago there was

convened in Washington, D.C., the Conference of American States, in which Eloy Alfaro actively participated as the dynamic leader. Subsequently, the Pan American Union developed. So that as long ago as 1890, Eloy Alfaro firmly advocated measures for improving the status of the Indians and the downtrodden, in his country and emancipating them from exploitation.

In 1907, Eloy Alfaro again was the dedicated leader who played a leading part at this International Conference in Mexico City, where the United States and six other pan-American nations assembled and did discuss and resolve questions relating to the well-being of the American states. As a matter of historical fact, Eloy Alfaro welded together the factions of the Cuban Freedom Party in December 1895, 3 years before the Spanish-American War, when he publicly petitioned the Queen of Spain demanding Cuban independence. In view of his achievements and accomplishments, there are monuments in the memory of Eloy Alfaro in almost every capital of the Western Hemisphere. And so today, we stand inspired by his example. The magnificent lessons resulting from so many noble undertakings by Eloy Alfaro are worthy of being transmitted from generation to generation for the honor and benefit of an entire community of nations.

Were he alive today, he would be in the forefront of the fight to preserve for the Western Hemisphere the pan-American unity of freedom loving people, that would be the perpetual harbinger against the attempt of any form of despotism to plant the tyrant's heel on even the tiniest portion of the soil of our pan-American nations, as the Soviet Union and Dr. Castro have actually done in Cuba.

Were Eloy Alfaro alive today, he would be a zealous supporter of the work of the program of our United Nations and the Organization of the American States, and he would leave no stone unturned to assure, for all peoples of the world, that hope and peace and good will to all men that is our common heritage from our common Creator.

The philosophy of Eloy Alfaro was based principally on service to his fellow human beings and to the cause and promotion of international peace. The public and private motion of peace. The public and private activities of our distinguished guest of honor, Mr. Samuel Woden Gralnick, comes within the framework of this kind of service to humanity. In recognition of this fact, and that you are a great humanitarian and philanthropist, the ruling body of the foundation grants you, Mr. Gralnick, its highest honor—the Eloy Alfaro Grand Cross and Diploma.

You know, my dear Mr. Gralnick, that you now join a goodly company of distinguished Americans, who have been similarly honored in the past. They include President Kennedy, former Presidents Hoover, Truman, and Eisenhower, Governor Nelson Rockefeller, General McAuliffe, Commissioner Moses, General Crittenberger, along with J. Edgar Hoover, who typify the caliber of men who hold this high honor.

Indeed, we further the ideals to which we are dedicated, we who are presented to do honor to ourselves, when in behalf of the Eloy Alfaro International Foundation it gives me genuine pleasure to exercise a pleasant duty, imposed upon me by the board of dignitaries of this foundation to carry out its determination to honor Mr. Samuel Woden Gralnick with the Eloy Alfaro Grand Cross.

Mr. Speaker, Mr. Gralnick then acknowledges receipt of the award which reads as follows:

Eloy Alfaro International Foundation—"Thus one goes to the stars"—recognizing the special value of the services rendered by the Honorable Samuel Woden Gralnick in support of the objectives of this institution, he has been awarded the Cross of the Eloy Alfaro International Foundation. In witness whereof, this diploma, with the seal of the foundation, is presented in the city of Panama, Republic of Panama, on the 25th of June 1962.

Mr. Gralnick acknowledges receipt of the award as follows:

I am overwhelmed with the great honors you have bestowed upon me and at joining such distinguished company. I little thought when I followed the dictates of my conscience that I would one day be so honored amidst such outstanding company from all over the world.

To be the recipient is indeed a high honor, and I shall regard it as an inspiration to accelerate my efforts in carrying out the high ideals and principles of Gen. Eloy Alfaro, and the principles for which General Alfaro laid down his life.

I wish to again express my personal appreciation and gratitude for your kindness in conferring this Eloy Alfaro Grand Cross on me.

May God be with you all, always.

Mr. Speaker, I am happy to join the many friends of Mr. Gralnick throughout the United States who sent congratulations which were read by Rabbi Ruslander. The Third District of Ohio is honored by the selection of this public spirited person to receive such an important award for his achievements and accomplishments.

SENATE

MONDAY, JANUARY 21, 1963

(Legislative day of Tuesday, January 15, 1963)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, in the midst of all the bafflements of our mortal days we are grateful for the light that shines, and the music which sings, at the heart of our faith.

In the light of Thy holiness we are made aware that the chief quest of our stay on this earthly stage is to achieve the purity of heart which alone brings the faculty of seeing Thee and the godlike everywhere.

In a day when all the most precious values are imperiled by powers of darkness, arouse and stir us from our selfish love of comfort. Drive us, we beseech Thee, by the compulsion of these volcanic times from easy retreats from reality. Give us open eyes to see the momentous facts of our generation, and undergird us with courage to meet them and dedicated intelligence to handle them.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 18, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

THE ECONOMIC REPORT—REPORT OF COUNCIL OF ECONOMIC ADVISERS—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 28)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which, with the accompanying document, was referred to the Joint Economic Committee.

(For President's report, see House proceedings of today's RECORD.)

REPORT OF ACTIVITIES OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 42)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States a report of the activities of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *January 21, 1963.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour for the introduction of bills and the transaction of routine business.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.